

# **Legal and Policy Technical Assistance and Training**

---

**Request for Application  
TCS 04-101**

---

**March 5, 2004**

**Department of Health Services  
Tobacco Control Section  
P.O. Box 997413  
Suite 74.516, MS 7206  
Sacramento, CA 95899-7413  
<http://www.dhs.ca.gov/tobacco>  
(916) 449-5500**



State of California—Health and Human Services Agency  
**Department of Health Services**



**ARNOLD SCHWARZENEGGER**  
Governor

March 5, 2004

TO: PROSPECTIVE APPLICANTS

SUBJECT: LEGAL AND POLICY TECHNICAL ASSISTANCE AND TRAINING  
REQUEST FOR APPLICATION (RFA), TCS 04-101

Enclosed is the Request for Application (RFA) TCS 04-101, entitled "Legal and Policy Technical Assistance and Training." The purpose of this RFA is to fund two qualified organizations to provide tobacco-related policy and legal/enforcement technical support to the California Department of Health Services, Tobacco Control Section (CDHS/TCS)-funded projects, city attorneys, and county counsels. CDHS/TCS anticipates funding **two** organizations; one to address tobacco control policy technical assistance and training and one to address tobacco control legal technical assistance and training. It is expected that the projects awarded under this RFA will work in close partnership with CDHS/TCS.

The RFA specifies eligibility, submission requirements, and tentative timelines. Please read the RFA carefully, as this is an open competitive process and applications must comply with all instructions to be reviewed. **Applications are due to CDHS/TCS on April 1, 2004, no later than 5 p.m.**

The complete RFA and all required forms are also available on the CDHS/TCS web site: <http://www.dhs.ca.gov/tobacco>. In addition, the policy section of the CDHS/TCS *Competitive Grantees Administrative and Policy Manual* is available on the web site to assist potential applicants in preparing their application(s).

If your organization is eligible and interested in applying for funds, it would be beneficial to attend the scheduled Informational Teleconference. Answers to questions about the RFA will only be provided during this teleconference. Phone calls for programmatic technical assistance in preparing the application **will not** be accepted.

Prospective Applicants  
Page 2  
March 5, 2004

**INFORMATIONAL TELECONFERENCE**

**March 12, 2004**

**9:30 a.m. – 11:00 a.m.**

Bridgeline: (916) 556-1508

Passcode: 1234

If anyone attending the Informational Teleconference requires special accommodations for the hearing impaired, please contact Tanya Farrar, Administrative and Contract Support Unit, TCS, at (916) 449-5459 by March 11, 2004. Thank you for your interest in tobacco control.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Bal", with a stylized, cursive script.

Dileep G. Bal, M.D., Chief  
Cancer Control Branch

Enclosure

## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
A.	Purpose .....	1
B.	Background .....	1
C.	California's Tobacco Control Program.....	3
D.	Current Level of Services Provided .....	5
E.	Summary of Technical Assistance and Training Survey Findings of TCS-Funded Projects .....	8
II.	GENERAL GRANT APPLICATION INFORMATION .....	11
A.	Who May Apply .....	11
B.	Grant Period and Funding Levels .....	11
C.	Application Submission Requirements .....	12
D.	Application Review Process .....	14
E.	Appeals Process .....	15
F.	Tentative Timelines .....	16
III.	ADMINISTRATIVE AND PROGRAM EXPECTATIONS .....	18
IV.	APPLICATION REQUIREMENTS AND INSTRUCTIONS .....	21
A.	General Requirements .....	21
B.	Scope of Work Intervention Requirements .....	22
C.	Evaluation Requirements.....	23
D.	Organization of the Application .....	24
E.	Application Criteria and Instructions.....	25
V.	TABLE OF CONTENTS FOR ENCLOSED ATTACHMENTS .....	58
	Attachments 1-8	
VI.	TABLE OF CONTENTS FOR ENCLOSED APPENDICES .....	68
	Appendices A-J	

---

## I. INTRODUCTION

---

### A. Purpose

The purpose of this Request for Applications (RFA) is to fund two statewide projects to provide tobacco control-related training and technical assistance. One project is sought to provide legal and enforcement-related training and technical assistance. The other project is sought to provide policy and community organizing training and technical assistance. It is expected that the projects awarded under this RFA will work in close partnership with the California Department of Health Services, Tobacco Control Section (CDHS/TCS).

The overarching goals for these two statewide technical assistance and training projects are to:

1. Increase the capacity and skill of local communities to enact and enforce legally sound local tobacco control policies that protect the public's health and promote denormalization of tobacco use through the provision of centralized training and technical assistance services;
2. Coordinate and collaborate with state and national tobacco control organizations to strategize and remove barriers to local tobacco control policy efforts;
3. Conduct evaluation and formative research that will facilitate increased enforcement of tobacco control laws and promote the enactment of local tobacco control policies aimed at protecting the public's health and denormalizing tobacco use; and
4. Increase the capacity of community members to effectively engage elected officials and key opinion leaders on the public health merit of comprehensive tobacco control efforts.

The primary target audience for the services to be provided by these technical assistance and training projects are TCS-funded projects and their coalitions, city attorneys, county counsels, local law enforcement agencies, and other state tobacco control organizations who will collaborate and facilitate the goals of this procurement.

### B. Background

In November 1988, California voters approved the Tobacco Tax and Health Protection Act of 1988 (Proposition [Prop.] 99) which added a 25-cent tax to each pack of cigarettes sold in the state. These additional tobacco taxes were earmarked for tobacco-related research, health education and promotion, and health care.

The enabling legislation for Prop. 99 includes: Assembly Bill (AB) 75 (Chapter 1331, Statutes of 1989); AB 99 (Chapter 278, Statutes of 1991); AB 816 (Chapter 195, Statutes of 1994); AB 3487 (Chapter 199, Statutes of 1996); Senate Bill (SB) 99 (Chapter 1170, Statutes of 1991); SB 391 (Chapter 294, Statutes of 1997); SB 960 (Chapter 1328, Statutes of 1989); SB 493 (Chapter 194, Statutes of 1995); the annual State Budget; Health and Safety (H&S) Code, Sections 104350-480, 104500-545; and the Revenue and Taxation Code, Sections 30121-130. The enabling legislation, the various codes, and the Annual State Budget, provide legislative and funding authority for programs administered by CDHS/TCS to:

- Conduct health education interventions and behavior change programs at the state level, in the community, and other non-school settings;
- Apply the most current research and findings; and
- Give priority to programs that demonstrate an understanding of the role community norm change has in influencing behavioral change regarding tobacco use.

Under the leadership of CDHS/TCS, the program has maintained its focus and coherence by adhering to a common “denormalization” strategy to reduce the social acceptability (or “normality”) of tobacco use in California communities. Through awareness raising, education, policy advocacy, and community mobilization, the program awakens the community out of its indifference to or tolerance of exposure to secondhand smoke (SHS); the sale of tobacco products to minors; the saturation of the community environment with youth-, gender-, and ethnic-targeted tobacco advertising; and tobacco industry (TI) sponsorship of cultural, ethnic, sport, and community events.

California’s comprehensive Tobacco Control Program has been very successful. California has one of the lowest smoking rates in the nation for adults and youth. Since its inception, the rate of decline in adult smoking prevalence has more than doubled in California. From 1988 to 2002, adult smoking prevalence declined from 22.8 percent to 16.6 percent. Per capita consumption of cigarettes has declined by more than 59 percent since the inception of the program, decreasing from 112.6 packs per person in fiscal year (FY) 1988-89 to 45.8 packs per person in FY 2002-03. Smoking prevalence remains highest among young adults 18 to 24 years-of-age at 21.3 percent in 2002. African-American and white males have the highest prevalence rates by race/ethnicity at 21.4 percent and 19.4 percent respectively.

As for the youth smoking prevalence, between 1996 and 2002 California witnessed a drop from 27.8 percent to 19.8 percent. In 2002, the smoking prevalence of tenth grader high school students in California was 16.0 percent.

A disturbing trend is the fact that TI increased its national advertising and promotional expenditures in the United States (U.S.) from \$3.2 billion in 1988 to \$8.2 billion in 1999. For 1999, this translates to over \$2.2 million spent per day in

California, much of it spent on trying to attract new smokers-California's youth and young adults.

Based on this current picture of tobacco use in California, CDHS/TCS intends to maintain its focus on the four priority areas of: 1) reducing exposure to SHS and increasing the number of smoke-free public spaces, work-sites, schools, and communities; 2) reducing the availability of tobacco products to youth; 3) countering pro-tobacco influences in the community; and 4) the provision of cessation services. These priorities address key factors related to adult and/or youth tobacco use and are broad enough to encompass nearly all tobacco control activities.

This RFA seeks to fund innovative projects that address one of the following: 1) provide legal and enforcement-related training and technical assistance, or 2) provide policy and community organizing training and technical assistance, which support the priority areas discussed above.

### **C. California's Tobacco Control Program**

The scope of the health education campaign launched by CDHS/TCS is addressed in the H&S Code, Part 3, Chapter 1, commencing with Section 104350. These statutes authorize CDHS/TCS to fund a variety of innovative approaches to reduce tobacco use. These approaches include funding for local health departments, competitive grant programs, statewide projects, a statewide media campaign, and an extensive evaluation of the entire tobacco control program. The two contracts funded as a result of this procurement are expected to provide training and technical assistance to the projects funded under the Local Program Component. The following is a description of key projects funded by CDHS/TCS, as of December 2003:

- **Local Programs Component:** This component of the tobacco control effort provides oversight of local and statewide tobacco control projects, funded through county health departments and community-based groups. The Local Programs Component provides training and technical assistance to the field, promotes advocacy campaigns and policy development, assists with educational materials development, and coordinates statewide campaigns such as Project SMART (Sponsorship Mission: Avoid Reliance on Tobacco) Money, the Strategic Tobacco Retail Effort (STORE) Campaign, and the Live, Work and Play Campaign. The following three groups are the tobacco control projects that the Local Programs Component provides oversight to:
  - **Local Health Departments:** Each of the 58 county and 3 city health departments are designated as Local Lead Agencies (LLAs). As the lead tobacco control agency at the community level, the LLA is responsible for coordinating information, referral, outreach, and education activities within its respective health jurisdiction. Each LLA fosters and involves a community coalition to engage grassroots community mobilization activities that promote

social norm changes and educates the public about health issues related to tobacco use and TI strategies that promote tobacco use. In general, the LLA is the lead on local community policy development, facilitation of enforcement of tobacco control laws, and local provision of tobacco cessation services.

- **Competitive Grant Program:** The competitive grant program funds a variety of community, statewide, and pilot projects. The agencies funded through this program are non-profit agencies and may include community-based organizations, voluntary health organizations, health clinics, ethnic organizations, alcohol and drug centers, labor organizations, youth organizations, and law enforcement agencies. Approximately 66 projects are currently funded.
- **Statewide Grants:** CDHS/TCS funds several statewide grants, which are defined as CDHS/TCS-funded projects designed to have a statewide impact to provide technical assistance and/or services on a statewide basis. Statewide grants offering assistance to CDHS/TCS-funded projects are the Tobacco Education Clearinghouse of California (TECC), California Smokers' Helpline, Technical Assistance Legal Center (TALC), The Center for Tobacco Policy and Organizing (The Center), California Youth Advocacy Network (CYAN), Council for Responsible Public Investment (CRPI), and The California Smoke-free Bars, Workplaces and Communities Program (BREATH). Currently, the four Ethnic-Specific Tobacco Education Networks and the State Building and Construction Trades Program fall within this category, but will end on June 30, 2004. Review the electronic TCS Project Directory for more specific information about local projects. The directory is available at [www.dhs.ca.gov/tobacco](http://www.dhs.ca.gov/tobacco).
- **Statewide Media Campaign:** The statewide media campaign consists of both advertising and public relations campaigns, including linguistically and culturally relevant ethnic-specific campaigns. The statewide media campaign utilizes hard-hitting paid advertising and public service announcements (PSAs) (i.e., television, radio, billboards, transit, and print) with thought provoking messages to effectively communicate the dangers of tobacco use, SHS, and TI's manipulative marketing ploys throughout California's general population and its ethnically diverse communities. The public relations portion of the statewide media campaign includes communications planning and implementation, media relations and advocacy, technical assistance to local programs, grassroots coalition building, promotional event development, news conference coordination, media alerts and press releases, and branding and image development.
- **Data Analysis and Evaluation:** This component of the tobacco control effort tracks adult and youth tobacco use prevalence by conducting year-round telephone surveys. These surveys also provide information about public opinion and knowledge related to tobacco use, which enables the other tobacco control

components to more appropriately target their education and media outreach. Additionally, both in-house and independent evaluations of all tobacco control components are conducted to monitor progress toward reaching program goals and objectives, and to determine which strategies are most effective in reducing tobacco use.

#### **D. Current Level of Services Provided**

The following is a description of the services currently provided and the services sought for the two projects to be funded by this procurement.

##### **1. Legal and Enforcement-Related Training and Technical Assistance**

###### **a. Current Level of Services**

The current level of legal and enforcement-related training and technical assistance is as follows:

- 1) Provision of legal technical assistance to target audiences regarding licensing tobacco retailers, the advertising and promotion of tobacco products, youth access, controlling the location of tobacco retailers through land use and zoning controls, and tobacco company sponsorship of events. This legal technical assistance includes developing model ordinances, providing assistance during local ordinance development, and tracking and analyzing state legislation. Target audiences for this legal technical assistance consists of TCS-funded projects, law enforcement, prosecuting attorneys, county counsels, and national technical assistance and training providers;
- 2) Conducting law enforcement surveys to determine the extent of enforcement of state youth access and secondhand smoke laws in all California jurisdictions;
- 3) Provision of technical assistance on interpreting the Master Settlement Agreement (MSA);
- 4) Provision of legal support and analysis to CRPI to assist in their TI divestment activities on college campuses and local governments;
- 5) Collaboration with BREATH on legal analysis and educational materials of priority issues related to SHS;
- 6) Maintenance of partnerships and collaborations with other tobacco control attorneys around the nation to remain current on legal issues on tobacco control; and

- 7) Maintaining and disseminating educational resources such as the TALC web site, *Piecing it Together* booklet, model policies/ordinances, fact sheets, and the divestment action guide.

b. SOW Activities Sought

The following is a description of the services sought for the legal and enforcement-related training and technical assistance project to be funded by this procurement:

- 1) Legal Research and Technical Assistance Resources: Provision of comprehensive legal research and technical assistance resources to CDHS/TCS-funded projects. Technical assistance resources may include brochures, model policies, newsletters, fact sheets, handbooks, etc.;
- 2) Analysis of State and Federal Tobacco Laws: Provision of plain language analysis of state and federal tobacco laws, regulations, settlements, and court opinions;
- 3) Collaboration: Collaboration with local, state, and national law enforcement and legal service providers to maximize resources;
- 4) Policy Technical Assistance and Training: Provision of model policies, summaries of tobacco laws, and other technical assistance materials and training that promote the development and implementation of legally sound tobacco-related policies;
- 5) Law Enforcement Survey: Conduct two surveys to assess the extent of enforcement of state laws and barriers to enforcement are to be conducted. One survey is to assess SHS laws (Labor Code 6404.5, which requires enclosed places of employment with more than five employees to be smoke-free, H&S Code 104495, which prohibits smoking and cigarette disposal in playgrounds and tot lots, and Government Code 7596-98, which prohibits smoking and cigarette disposal in playgrounds and tot lots). The other survey is to assess Penal Code (PC) 308(a), which prohibits sales, distribution, and furnishing of tobacco to persons under the age of 18. If additional significant state laws are enacted addressing SHS or illegal tobacco sales to minors prior to administration of the surveys, the survey instrument will need to be modified to reflect the new state laws. The surveys are to be in the field in the Winter of 2006 and are to use previous survey instruments and methodology as a basis to ensure comparability with prior surveys. The survey design is a census of law enforcement agencies performing SHS and illegal tobacco sales to minors related enforcement operations. The survey is to be administered to 400 to 600 law enforcement agencies. The present survey protocol involves two waves of mailing the survey instrument, followed by reminder

postcards if there is no response, followed by a telephone prompt if there is still no response to the survey;

- 6) Enforcement Technical Assistance and Training: Provide legal technical assistance and training on PC 308(a), Business and Professions Code 17200, and local policies prohibiting youth access to tobacco to such groups as TCS-funded projects, law enforcement, prosecuting attorneys, and city/county officials. A minimum of three regional trainings per year is required for this procurement and the trainings must be Peace Officers State Training (POST) certified and utilize the PC 308(a) Training Manual. Trainings may be web-based, face-to-face, or use some other methodology. Develop resources to help TCS-funded projects ensure that existing tobacco control laws are enforced. These resources could include a guide for prosecuting attorneys on how to cite repeat offenders of illegal sales laws using Business and Professions Code 17200; and
- 7) Collaboration with CDHS/TCS: Close collaboration with CDHS/TCS on emerging issues (e.g., harm reduction).

## 2. Policy and Community Organizing Training and Technical Assistance

### a. Current Level of Services

The current level of tobacco-related policy and community organizing training and technical assistance is as follows:

- 1) Monitoring and analyzing tobacco-related legislation, tracking voting records of all 120 state legislators, and where appropriate, tracking action on local tobacco policies and votes cast by local officials;
- 2) Providing short-term and long-term technical assistance on policy organizing campaigns conducted by several TCS-funded projects;
- 3) Offering comprehensive policy/data/research and other technical assistance resources to LLAs, Ethnic Networks, and other TCS-funded projects; and
- 4) Maintaining a web site which features resources and materials accessible by all tobacco control partners.

### b. SOW Activities Sought

The following is a description of the services sought for the policy and community organizing training and technical assistance project to be funded by this procurement:

- 1) Policy Research and Technical Assistance Resources: Provision of comprehensive policy research and technical assistance resources to TCS-funded projects. Technical assistance resources may include fact sheets, newsletters, turn-key advocacy kits, voting records of state legislators on tobacco control issues, etc.;
- 2) Training and Technical Assistance on How to Work with Key Opinion Leaders: Provision of training and technical assistance to TCS-funded projects on how to work with and reach key opinion leaders. This could include such items as:
  - a) How to use polling and surveying attitudes of key opinion leaders strategically toward community norm change;
  - b) How to stimulate media coverage that would help educate key opinion leaders on tobacco control issues; and
  - c) Assistance with local policy campaigns.
- 3) Coalition Development and Community Organizing: Provision of technical assistance and training to TCS-funded projects on coalition development and community organizing;
- 4) Coordinate Information and Education (I&E) visits: Coordinate an annual I&E visit with legislators at the State Capitol and periodically at their district offices. This activity is to involve the Priority Population contractors, LLAs, and other TCS-funded contractors; and
- 5) Collaboration with CDHS/TCS: Close collaboration with CDHS/TCS on emerging issues.

#### **E. Summary of Technical Assistance and Training Survey Findings of TCS-Funded Projects**

In November 2003, a “Statewide Projects and Ethnic Networks Utilization and Assessment Survey” was conducted with TCS-funded projects via Policy Advocacy Resource Tobacco Network Education Response System (PARTNERS). A total of 49 people responded to this survey, with 55 percent (27) of the respondents being competitive grantees and 44.9 percent (22) being LLAs. The percentage of projects representing rural and urban communities was split evenly with half of the respondents indicating they work in rural communities and half indicating they work in urban areas. Approximately 53 percent (26) of the respondents had at least seven years or more of tobacco control experience.

In regards to the specific findings for the statewide projects, the following was revealed for TALC and The Center:

## 1. TALC Survey Findings:

### *Frequency of use in the past 12 months*

- 59 percent (22) of respondents reported that they used the TALC resource materials (e.g., brochures, handbooks, fact sheets, newsletters, model ordinances) “a great deal;”
- 36.7 percent (18) of respondents reported that they attended a TALC training; and
- 34.7 percent (17) of respondents reported that they used TALC telephone technical assistance.

### *Value to your effort*

- 65 percent (32) of respondents rated the TALC resource materials as “high to very high” in terms of the value to their effort;
- 51 percent (25) of respondents rated the TALC telephone technical assistance as “high to very high” in terms of the value to their effort; and
- 55 percent (27) of respondents rated the TALC web site as “high to very high” in terms of the value to their effort.

### *Most beneficial aspect of the services provided by TALC*

- “The frequency we have to interact with attorneys. It is invaluable to be able to consult attorneys who understand tobacco control issues.”
- “Model policies, legal advice, and general legal knowledge.”
- “The resource materials they produce are excellent in explaining legal issues in ways that the layperson can understand.”

### *Recommendations for improvements and/or modifications to services and assistance provided by TALC that should be addressed in the procurement*

- “Continue with the trainings, technical assistance, and resource/materials development. Need to inform other programs what other activities are part of the workplan besides legal assistance.”
- “Provide more teleconferences and material online.”
- “Provide resource materials in other languages.”

## 2. The Center Findings:

### *Frequency of use in the past 12 months*

- 38.8 percent (19) of respondents reported that they used The Center’s resource materials (e.g., MSA expenditures, fact sheets, newsletters);
- 30.6 percent (15) of respondents reported that they utilized The Center’s short-term consulting; and
- 30.6 percent (15) of respondents reported that they used The Center’s telephone technical assistance.

*Value to your effort*

- 51 percent (25) of respondents rated The Center's resource materials as "high to very high" in terms of the value to their effort;
- 30.6 percent (15) of respondents rated The Center's short term consulting as "high to very high" in terms of the value to their effort; and
- 26.5 percent (13) of respondents rated The Center's Tobacco Retailer Licensing Advocacy Kit as "high to very high" in terms of the value to their effort.

*Most beneficial aspect of the services provided by The Center*

- "The Center worked with our JETEN [Joint Ethnic Tobacco Education Network] I&E visit platforms and were able to provide assistance in the development of the platform statements. The expertise that The Center's staff have working with California legislators provides insight for programs interested in grassroots policy advocacy."
- "Assistance in building an organizing team and laying the foundation prior to starting campaign work."
- "Specific consultation on strategies for developing policies."

*Recommendations for improvements and/or modifications to services and assistance provided by The Center that should be addressed in the procurement*

- "Need to inform other programs of their current activities and services that are available."
- "Provide materials translated in other languages."
- "Provide more trainings and also more resource materials online."

---

## II. GENERAL GRANT APPLICATION INFORMATION

---

### A. Who May Apply

1. California public or private non-profit organizations are eligible to apply for these funds. For applicants claiming private non-profit status, **either** certification from the State of California, Office of Secretary of State, **or** a letter from the Department of the Treasury, Internal Revenue Service (IRS) classifying the applicant administrative agency as a private non-profit **MUST BE INCLUDED** with the submission of the application. The certification application and a sample letter are provided in Appendices A and B.
2. As referenced in H&S Code, Section 104440, "LLAs shall be ineligible for awards under the competitive grants program, unless the LLA is a participant within a consortium of community-based organizations or nonprofit organizations." A consortium application must be composed of two or more organizations.
3. State of California agencies, other than state universities and colleges, are not eligible for these funds.
4. Any agency, with the exception of universities and colleges, that receives funding from, or has an affiliation or contractual relationship with a tobacco company, any of its subsidiaries or parent company, during the term of the grant, is not eligible for funding under this RFA. Agency certification to this effect is required on Attachment 8. See Appendix C for a partial list of tobacco company subsidiaries.

With regard to universities and colleges, any Principal Investigator who within the last five years from the start date of the grant period or during the term of the grant, receives funding from or has an affiliation or contractual relationship with a tobacco company, any of its subsidiaries, or parent company, is not eligible for funding under this RFA. The Principal Investigator's certification is required on Attachment 8. See Appendix C for a partial list of tobacco company subsidiaries.

### B. Grant Period and Funding Levels

1. Approximately \$4.5 million is estimated to be available for this RFA to fund two agencies. Award amounts are contingent upon the use of multi-year spending authority and available revenues. Funding from FY 2004-05 and any other subsequent FY is contingent upon available revenue appropriation by the Legislature and the Governor.

2. Awards are estimated to range from \$500,000 to \$1,000,000 per year for the grant period beginning July 1, 2004, and ending June 30, 2007. **Applications must be for the entire 36-month period.** CDHS/TCS will have the option of renewing the grant(s) for an additional two years if funds are available and the grantee has performed to the satisfaction of CDHS/TCS.
3. CDHS/TCS reserves the right to fund any or none of the applications submitted in response to this RFA. CDHS/TCS may also waive any immaterial deviation in any application. CDHS/TCS waiver of any immaterial deviation(s) shall not excuse an application from full compliance with the contract terms if a grant is awarded. There is no guarantee that scoring above 75 points will result in funding or funding at the level requested.
4. CDHS/TCS reserves the right to withdraw any award if an acceptable Scope of Work (SOW), Budget, Budget Justification, and other CDHS/TCS required forms are not received by CDHS/TCS within 45 calendar days of being negotiated by CDHS/TCS and the awardee.
5. Expenses associated with preparing and submitting an application are solely the responsibility of the applicant agency and will not be reimbursed by CDHS/TCS.
6. CDHS/TCS reserves the right to withdraw any award or negotiate the SOW of any proposed projects or proposed project components.
7. The awardee certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this grant for the acquisition, operation, or maintenance of computer software in violation of copyright laws.
8. CDHS/TCS will send to each awardee, along with the official award notification, a copy of the grant language. Changes to this language will not be negotiated at any time during the negotiation process.

### C. Application Submission Requirements

#### 1. Letter of Intent

For the purpose of planning the RFA review process, all prospective applicants must submit a letter notifying CDHS/TCS of the intent to submit an application. This letter is not binding and those submitting a letter may elect not to submit an application. **One signed Letter of Intent is due in the CDHS/TCS office no later than 5 p.m., March 19, 2004.** The Letter of Intent must be submitted on the applicant's letterhead, signed by an

officer of the board or their agent, and state the following: the name and number of the RFA under which the application will be submitted, and the estimated budget requested.

Email documents will not be accepted. Mail or fax the letter of intent to:

Tobacco Control Section  
Attention: Diane Cusenza  
California Department of Health Services  
P.O. Box 997413, MS 7206  
Sacramento, CA 95899-7413  
Fax: (916) 449-5517

Clearly indicate on the outside of the mailing envelope or fax transmittal sheet **“Legal and Policy Technical Assistance and Training, RFA TCS 04-101.”**

## 2. Application

**NOTE: All applicants agree when submitting an application, that CDHS/TCS is authorized to verify any and all claimed information. All applications received by CDHS/TCS are subject to the provisions of the “California Public Record Act” (Government Code Section 6250 et seq.) and are not considered confidential after completion of the selection process.**

Submit one signed original (clearly marked “original”), six copies of the entire application, and six additional copies of the SOW Narrative (refer to Section IV, Application Requirements and Instructions). Clearly indicate **“Legal and Policy Technical Assistance and Training, RFA TCS-04-101”** on the outside of the mailing envelope.

Applications are due in the CDHS/TCS office no later than 5 p.m., **April 1, 2004.**

- Fax and email documents will **not** be accepted. It is the sole responsibility of the applicant to ensure that CDHS/TCS receives the required number of copies of the application by the above deadline.
- A late or an incomplete application will be considered non-responsive and will not be reviewed for funding.
- No changes, modifications, corrections, or additions may be made to the application once it is received.

Mail or deliver completed applications to CDHS/TCS:

**Regular mail  
(U.S. Postal Service):**

Marj Rogers  
Tobacco Control Section  
Department of Health Services  
P.O. Box 997413, MS 7206  
Sacramento, CA 95899-7413

**For hand or overnight delivery  
(UPS or FedEx):**

Marj Rogers  
Tobacco Control Section  
Department of Health Services  
1616 Capitol Avenue, Suite 74.516  
Sacramento, CA 95814

CDHS/TCS Phone Number:  
(916) 449-5500

\*\*\* See web site for directions to CDHS/TCS.\*\*\*  
<http://www.dhs.ca.gov/tobacco>

### 3. RFA Information

An RFA Informational Teleconference is scheduled for the purpose of answering questions directly related to the RFA requirements. Technical assistance regarding programmatic content will not be available at the teleconference or by phone.

Date: March 12, 2004  
Time: 9:30 a.m. – 11:00 a.m.  
Bridgeline: (916) 556-1508  
Passcode: 1234

### D. Application Review Process

#### 1. Review for Compliance with Mandatory RFA Requirements

Applications will be date and time stamped upon receipt at CDHS/TCS. Each application received in the CDHS/TCS by **5:00 p.m. on April 1, 2004**, will be reviewed for compliance with the requirements provided in this document. Applications that do not comply with the requirements will be considered non-responsive and will be excluded from the review. Omission of any required document or form, failure to use required formats for response, or failure to respond to any requirement may lead to rejection of the application prior to the review. CDHS/TCS may waive any immaterial deviation in any application; however, this waiver shall not excuse an application from full compliance with the contract terms if a grant is awarded. **LATE, INCOMPLETE, OR NON-COMPLIANT APPLICATIONS WILL BE REJECTED.**

## 2. Application Review

Each application that complies with the mandatory requirements will be evaluated and scored by a review committee on a scale of 0 to 100 points. The review committee may include representatives from Competitive Grants, LLAs, and statewide projects. Applications receiving a score of 75 points or more will be considered for funding; however, due to potential funding limitations, there is no guarantee that scoring 75 or above will result in funding or funding at the level requested.

The maximum point value of each section is as follows:

SOW Narrative	10 points
Coordination	10 points
Applicant Capability	20 points
SOW Including Evaluation	40 points
Budget and Budget Justification	<u>20 points</u>
	100 points

## 3. Notification of Decision

Each applicant, whether selected for funding or denied, will be notified in writing of the funding decision. Applicants may receive, upon written request to CDHS/TCS, their consensus review tool summary page which provides the score and overall strengths and weaknesses of their application.

## 4. Grant Negotiation

Following the award notification, grant negotiations will occur with the potential grantee in a timely manner. CDHS/TCS reserves the right to reject any proposed project(s) or project component(s). Following grant negotiations, the grantee is required to submit a detailed SOW, Budget, and Budget Justification in accordance with CDHS/TCS requirements, which will become part of the formal contract. Upon completion and approval of these documents, the grant will be fully executed and work will commence.

## E. Appeals Process

Only those agencies that submit an application consistent with the requirements of this RFA and are not funded may appeal. There is NO appeal process for applications that are submitted late or that are submitted incomplete. Applicants may not appeal based on their funding level. Appeal letters based on the final application selection must be received **no later than 5 p.m. on April 30, 2004, at the address indicated below.** Email

transmitted documents WILL NOT BE ACCEPTED. Appeals shall be limited to the grounds that CDHS/TCS failed to correctly apply the standards for reviewing your agency's application in accordance with this RFA.

The appellant must file a written appeal, which includes the issue(s) in dispute, the legal authority or other basis for the appellant's position, and the remedy sought. Incomplete appeals will be rejected. Appeals must be mailed or faxed to:

Donald O. Lyman, M.D., Chief or Designee  
Division of Chronic Disease and Injury Control (CDIC)  
Department of Health Services  
P. O. Box 997413, MS 7200  
Sacramento, CA 95899-7413  
Fax: (916) 449-5517

At his sole discretion, the Chief of CDIC or his designee, may hold an appeal hearing with each appellant and then come to a decision. That decision can be based on either the combination of the written appeal letter and the evidence presented at the hearing, or based on the written appeal letter if no hearing is conducted. The decision of the Chief of CDIC or his designee shall be final. There is no further administrative appeal. Appellants will be notified of decisions regarding their appeal in writing within 15 working days of their hearing date or the consideration of the written appeal letter, if no hearing is conducted.

#### **F. Tentative Timelines**

March 5, 2004	Release of RFA
March 12, 2004	Informational Teleconference 9:30 a.m. – 11:00 a.m.
<b>March 19, 2004</b>	<b>Letters of Intent due to CDHS/TCS no later than 5 p.m.</b>
<b>April 1, 2004</b>	<b>Applications due to CDHS/TCS no later than 5 p.m.</b>
April 21, 2004	Award decisions announced
April 30, 2004	Appeals due to CDHS/TCS no later than 5 p.m.
May 7, 2004	Appeal hearings

May 2004	Grant negotiations
July 1, 2004	Grant period begins
June 30, 2007	Grant period ends

---

### III. ADMINISTRATIVE AND PROGRAM EXPECTATIONS

---

Agencies applying for these funds must have the administrative ability to manage state grant funds and the technical expertise to successfully implement the proposed project activities. It is the experience of CDHS/TCS that some applicants are unfamiliar with state procedures, requirements, and expectations. The following information is provided in order that the prospective applicants might assess their ability to enter into a binding grant agreement with CDHS/TCS.

1. Grantees (funded agencies) are to expend funds in accordance with the negotiated line item budget. If changes in line items, salary ranges, or staffing patterns need to be made, the grantee must request a budget revision or a grant amendment depending on what in the budget needs to be changed. It is up to the discretion of CDHS/TCS whether or not to approve the requested budget revision or grant amendment.
2. Grantees are reimbursed in arrears for actual expenses, which means the agency or individual incurs expenses and is then reimbursed by CDHS/TCS. The grantee submits a monthly invoice for expenses incurred in the previous 30 days and then the State has up to 30 days to pay certified small businesses and up to 45 days to pay others. This means that the grantee must be able to cover at least 45 to 60 days worth of project payroll, indirect, and operating expenses prior to reimbursement by the State. Additionally, grantees are to submit invoices to CDHS/TCS in a timely manner to ensure: 1) prompt payment of expenses, and 2) cash flow maintenance.
3. Grantees are expected to contact CDHS/TCS if they are having difficulties implementing the SOW or need to make changes in the approved activities. The agency must be aware that it is legally bound to deliver the services as stated in the SOW. This includes serving the number of people identified, conducting the stated number of activities, developing the identified educational materials, etc. If changes need to be made in the SOW, the grantee must contact CDHS/TCS to discuss the issue and request a SOW revision or grant amendment. It is up to the discretion of CDHS/TCS whether or not to approve the request. **If grant deliverables, including Progress Reports, are not completed satisfactorily, CDHS/TCS has the authority to withhold and/or recover payment of funds.**
4. Grantees are expected to refer to and comply with the *Competitive Grantees Administrative and Policy Manual*. This manual is referenced in the grant and, as such, is a contract document. The manual will be made available to successful applicants.
5. Grantees are to be knowledgeable of standard payroll practices including State and Federal tax withholding requirements.

6. Grantees are to maintain accounting records that reflect actual expenditures including, but not limited to: accounting books, ledgers, documents; payroll records, including signed timesheets, etc., following standard accounting procedures and practices that properly reflect all direct and indirect expenses related to this contract. These records shall be kept and made available for three years from the date of the final grant payment.
7. Grantees are to obtain an annual single organization-wide financial and compliance audit. CDHS/TCS will reimburse the grantee for its proportionate share of the audit expense.
8. Grantees are required to obtain prior approval from CDHS/TCS before they are reimbursed for any purchase order, subcontract, or consultant agreement costing \$5,000 or more. Three competitive bids are required as well as other documentation of the bid process. This information along with the proposed subcontract or consultant agreement must be submitted to CDHS/TCS for approval prior to reimbursement of such expenses.
9. Grantees are to have a procedure designating a person within their agency or organization that may sign payroll time sheets, requisitions, and invoices.
10. Grantees are to maintain accurate records regarding program implementation, which document the number of people served, materials developed, activities conducted, etc. It is expected that these documentation records may include, but will not be limited to logs, sign-in sheets, meeting minutes, survey and evaluation data, etc. It is recommended that the contractor set up documentation files by objective or major activities. Planning minutes, media outreach, and sign-in sheets, etc., should be filed in the objective-specific file as activities are completed.
11. Grantees are to have sufficient personnel to submit to CDHS/TCS timely, accurate, and complete progress reports every six months using the forms and format provided by CDHS/TCS.
12. Grantees are to have adequate personnel to ensure timely submission of accurate invoices and maintain the fiscal integrity of the grant.
13. Grantees and all subcontractors should be aware that the State shall be the owner of all rights, title, and interest in, but not limited to, the copyright to any and all Works created, produced, or developed under a grant funded from this RFA, whether published or unpublished. Appendix D contains the specific language that will be incorporated into the boilerplate language of the grant funded by CDHS/TCS. If successful in your RFA, you must comply with the copyright and ownership of materials language. Review Appendix D carefully. Changes to this language will **not** be negotiated at any time during the RFA process nor with the funded applicant.

14. Grantees are to be aware that travel and per diem rates must not exceed those amounts paid to State non-represented employees. Additionally, out-of-state travel is not reimbursable without prior written approval by CDHS/TCS. Refer to Appendix I.
15. Grantees are expected to hire program and fiscal/administrative staff with the appropriate training and experience to fulfill all program grant related deliverables as well as to fulfill payroll, accounting, and administrative procedures.
16. Grantees are to be aware that CDHS/TCS may withhold payment of invoices for lack of documented and/or timely progress, as well as any apparent non-compliance with contract requirements.

---

## IV. APPLICATION REQUIREMENTS AND INSTRUCTIONS

---

### A. General Requirements

1. **READ ALL INSTRUCTIONS CAREFULLY.** Be sure to include all of the information required by this RFA, including all attachments and copies. Re-check the application to ensure completeness.
2. **DO NOT ASSUME** the reviewers have prior knowledge of the past history of the applicant agency or previous tobacco control programs administered by the agency. The responsibility is on the applicant to demonstrate an understanding of the services to be delivered under the intended contract, the capacity of the applicant agency to carry out the services, and the ability to design and carry out efficient services that are reasonably budgeted.
3. **DO NOT PROVIDE ANY MATERIALS THAT ARE NOT REQUESTED.** Any materials submitted that are not requested under this RFA will be discarded prior to application review, including pages that go over the maximum number in specified sections with page limitations.
4. Number each page of the application consecutively.
5. The type font size is to be no less than 12 characters per inch.
6. Folders and binders are **not** desired and will be discarded; securely staple the application in the upper left corner.
7. Attachments 1, 6, 7, and 8 require a signature by the person authorized to legally bind the applicant agency to the commitment outlined in the application. **Allow enough time to obtain these required signatures.**
8. Attachment 4 requires the signature of the tobacco control program Project Director on the Acknowledgement of Communications Projects form. **Allow enough time to obtain the required signatures.**
9. Policy Section:

The SOW and Budget are to be consistent with the policies and procedures found in the Policy Section of the *Competitive Grantees Administrative and Policy Manual* herein referred to as the Policy Section. As you develop your SOW and Budget, please review the Policy Section and pay particular attention to those policies addressing promotional items and lobbying. The Policy Section can be accessed on the Internet at

<http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm> under the heading "Supplemental Materials."

10. Clearly indicate “Legal and Policy Technical Assistance and Training, RFA TCS-04-101” on the outside of the mailing envelope.

## B. SOW Intervention Requirements

Funding preference will be given to those applicants that most closely address the criterion below:

### **Criteria**

- A comprehensive SOW that addresses one of the following funding categories: 1) legal and enforcement-related training and technical assistance, or 2) policy and community organizing training and technical assistance.
- Use a centralized model for the delivery of services. A centralized model entails having a core group of specialized staff at one location to administer either policy or legal services on a statewide basis.
- A SOW that demonstrates ability and willingness to work collaboratively with CDHS/TCS, statewide projects, LLAs, Priority Population Partnerships, and statewide initiatives (e.g., Project SMART Money, STORE Campaign, Live, Work, and Play Campaign) as appropriate to the intervention. Funded organizations will be required to work closely with CDHS/TCS and also with each other in achieving their objectives.
- A SOW that is consistent with the policies and procedures found in the Policy Section of the *Competitive Grantees Administrative and Policy Manual*. As you develop your SOW, Budget, and Budget Justification, please review the Policy Section of the aforementioned manual and pay particular attention to those policies addressing lobbying and promotional items. The Policy Section can be accessed on the Internet at <http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm> under the heading “Supplemental Materials.”
- A SOW that provides a well-organized and detailed “road map” of the project that describes:
  - *How much will be done;*
  - *Where activities will occur;*
  - *What will be done (e.g., coordination/collaboration methods, policy methods, data collection methods, etc.);*
  - *Staff, subcontractors, or consultants responsible for the activities;*
  - *Appropriate and reasonable tracking measures;*

- *A web site tracking and maintenance plan (e.g., who will be utilizing the site, how many hits the site is receiving, how many total users the web site has, how will the web site be maintained, etc.); and*
- *An evaluation plan for each objective.*

### C. Evaluation Requirements

Funding preference will be given to those applicants that most closely address the criterion below:

#### **Criteria**

1. **Conduct a process evaluation.** Process data collection is essential with objectives that do not have a quantifiable outcome. The purpose of this type of data collection is to provide an in-depth look at certain issues that may help or hamper the success of the program. Process data can be used to design and modify the intervention plan.
2. Allocate a minimum of five percent of the total budget amount toward evaluation of the program. It is the responsibility of the applicant to obtain qualified staff or consultants to ensure that the evaluation requirement is met. Whether the evaluator is hired staff or is a consultant/subcontractor, CDHS/TCS recommends that the person have an adequate and appropriate level of education and at least three-years experience evaluating large statewide projects.
3. Hire staff or consultants with evaluation expertise. This may require allocating resources for data base development, data entry, report writing, and dissemination of the evaluation findings.
4. Designate one staff person as the lead on evaluation activities. At a minimum, five percent of the lead staff person's time is to be dedicated toward overseeing evaluation activities, coordinating evaluation activities with CDHS/TCS, and any evaluation consultant or subcontractor who may be hired. This is a **mandatory requirement** and must be designated in the Budget.
5. Incorporate evaluation into the SOW and reflect appropriate process evaluation methods. The evaluation is to measure achievement of the objective, the quantity of services provided, the quality of services provided, and the level of satisfaction with the services provided.
6. Determine the progress made toward achieving each process objective described in the SOW. The process evaluation is to use appropriate tracking measures to determine if the objective was met.

## D. Organization of the Application

Present the components of the RFA in the order listed below using the instructions provided on subsequent pages to complete each area.

- ☞ 1. Application Cover Sheet (Attachment 1)
- 2. Application Checklist Form (Attachment 2)
- 3. Table of Contents (Attachment 3)
- 4. SOW Narrative (No Attachment, 10-page maximum)
- 5. Coordination
  - ☞ a. Acknowledgement of Communications Projects Form (Attachment 4)
  - b. Letter from the Evaluation Consultant
- 6. Applicant Capability (No Attachment, 10-page maximum, not including d.)
  - a. Program/Evaluation Experience
  - b. Administrative/Fiscal Experience
  - c. Equipment
  - d. Letters of Reference
- 7. SOW including Evaluation (Attachment 5)
- 8. Budget/Budget Justification (No Attachment)
- 9. Additional Required Forms
  - ☞ a. Drug-Free Workplace Certification (Attachment 6)
  - ☞ b. Agency Documentation Requirements (Attachment 7)
  - c. Proof of Non-Profit Status (No Attachment)
  - ☞ d. Certification of Non-Acceptance of Tobacco Funds (Attachment 8)
- ☞ **Denotes the document requires a signature by the person authorized to bind the applicant agency. Read the documents and allow time to obtain the required signatures.**
- ⇒ **Denotes the document requires the signature of the tobacco control program Project Director. Read the documents and allow time to obtain the required signatures.**

## E. Application Criteria and Instructions

### 1. Application Cover Sheet (Attachment 1)

- Item 1: Enter the legal name of the applicant. Fill in the project name. Enter the mailing address, which will appear on any subsequent agreement. Enter the name of the county in which the applicant's headquarters is located.
- Item 2: Enter the grant term, July 1, 2004 to June 30, 2007.
- Item 3: Enter the Budget amount requested for the entire grant term.
- Item 4: Indicate "Statewide" in the location/geographic coverage of the project area.
- Item 5: Indicate which technical assistance and training component you are applying for, policy or legal.
- Item 6: The agency official authorized by the Board to sign on behalf of the Board must sign and date the certification statement provided. Also print/type the name and title of this official.

### 2. Application Checklist (Attachment 2)

The **items** included on the checklist are **required** to be submitted as part of the application and should be presented in the order noted on this form. **If any items are omitted from the application, the application will be considered incomplete and out of compliance with this application and will not be reviewed.** Complete the attached application checklist to ensure that all application attachments and required components are included.

***NOTE: The checklist is for your use to ensure a complete package. You are not required to submit the checklist as part of the actual application; therefore, do not include the checklist in the table of contents or as part of the overall pagination of the application.***

### 3. Table of Contents (Attachment 3)

Applications must have a table of contents with page numbers referenced. Application sections must be presented in the sequence shown on the Application Checklist (Attachment 2).

#### 4. **SOW Narrative = 10 POINTS**

(No attachment provided, 10-page maximum)

##### **Criteria**

Funding preference will be given to those applicants that most closely address the criterion below:

- Includes a strong rationale for the trainings and technical assistance services proposed that reflects the 2003 TCS-Training and Technical Assistance Needs Assessment findings and the primary areas of focus of TCS-funded projects.
- Provides for coordination and collaboration with other CDHS/TCS statewide projects and national technical assistance and training providers to avoid duplication of effort and maximize resources.
- Provides process evaluation plans for each objective that assess the quality and quantity of services provided.

##### **Instructions**

- Restate each objective and immediately following provide a summary of the activities to be conducted to address the objective.
- Provide a rationale for the provision of services.
- Provide a descriptive process evaluation plan for each objective to assess the quality and quantity of services to be provided.

#### 5. **Coordination = 10 POINTS**

##### **Criteria**

Funding preference will be given to those applicants that most closely address the criterion below:

- Demonstrates that adequate communication took place with relevant agencies and groups regarding the SOW activities.
- Demonstrates non-duplication and coordination with existing projects.

##### **Instructions**

- a. Acknowledgement of Communications Projects Form (Attachment 4)

The purpose of the Acknowledgement of Communications Projects Form is to confirm that applicants discussed their application with appropriate CDHS/TCS statewide projects (e.g., BREATH, CYAN, TECC) and national

technical assistance and training providers to facilitate coordination, ensure non-duplication of efforts, and to maximize resources.

This form is to be completed by each statewide project, other TCS-funded projects that are involved in the applicant's proposed activities, and the National Tobacco Technical Assistance Center. Applicants are required to provide a description of how their project will coordinate and collaborate with other CDHS/TCS statewide projects and national technical assistance and training providers. Completed forms must be included in the application. Completed forms sent separately from the application will not be reviewed.

b. Letter from the Project Evaluator

An evaluator must participate in the development of the SOW and evaluation plans. Every application must include this letter, even if the evaluator is an internal evaluator working for the applicant's agency. The letter must include the following elements:

- Describe the evaluator's role and involvement in the development of the SOW and the evaluation component.
- Provide how many hours the evaluator spent with the applicant to get the evaluation in place.

6. **Applicant Capability = 20 POINTS**

(No attachment, 10-page maximum, not including Letters of Reference)

**Criteria**

Funding preference will be given to agencies that exhibit the following qualifications:

a. General Criteria

- Demonstrate the ability to start up and begin implementation within six weeks of the grant start date.
- Demonstrate the capacity to deliver training and technical assistance services on a statewide basis.
- Demonstrate that staff has training, skills, and experiences consistent with the program, evaluation, fiscal, and management needs of the project.
- Demonstrate the ability and willingness to work collaboratively with CDHS/TCS, LLAs, other statewide projects, competitive grants, and statewide initiatives as appropriate. Funded organizations will be required

to work closely with CDHS/TCS and also each other in achieving their objectives.

- Demonstrate at least two years satisfactory performance with administrative, fiscal, and programmatic management of government grant funds, including timely and accurate submission of fiscal and program documentation, subcontracts, and compliance with all state contract requirements.
- Demonstrate the ability to equip the project with office furniture, computers, printers, copy machines, etc., to support staff and program needs.
- Pursuant to H&S Code, Section 104445, preference shall be given to current contractors that have demonstrated effectiveness and capacity in providing tobacco policy community organizing, enforcement, evaluation, and legal services.

b. Legal/Enforcement Criteria

- Employ or contract with licensed California attorneys with capacity to effectively communicate with other attorneys and public health professionals.
- Demonstrate knowledge and expertise with tobacco-related legislation and court rulings at the national, state, and local levels, as well as issues related to American Indian tribal sovereignty issues.
- Demonstrate problem-solving skills to address legal barriers to address enactment of local tobacco-related policies (e.g., federal preemption, First Amendment, MSA, etc.)
- Employ or contract with individuals with current or former law enforcement and training experience and who have actively engaged in conducting PC 308(a) enforcement operations.
- Demonstrate two years experience conducting statewide or national survey activities including data analysis, report writing, and publishing in peer reviewed journals.

c. Policy/Community Organizing Criteria

- Demonstrate at least three years previous experience conducting successful community organizing campaigns at the local level.

- Demonstrate at least three years previous experience with tobacco-specific policy campaigns at the local level.
- Demonstrate at least three years previous experience with providing training and technical assistance around community organizing, coalition building, and strategic use of media in a culturally competent manner (e.g., for various racial/ethnic communities and urban versus rural communities).
- Demonstrate the ability to produce educational materials that are appropriate in terms of age, literacy level, and cultural sensitivity.
- Demonstrate the ability to organize and train a large number of community advocates to provide educational visits to elected officials.

### **Instructions**

Address the following in no more than ten pages.

#### **a. Program/Evaluation Experience**

##### **1) Legal/Enforcement Track**

- a) Describe the applicant's experience with providing legal interpretation of tobacco-related legislation, policies, and court rulings at the federal, state, and local levels, as well as American Indian tribal sovereignty issues.
- b) Describe the applicant's capability and resources to ensure timely start up and implementation of the proposed project. Describe how the proposed project will be integrated into the agency's organizational structure.
- c) Describe the agency's effectiveness and capacity to provide legal and enforcement-related training and technical assistance on a statewide basis.
- d) Describe the qualifications of key program staff (e.g., licensed California attorneys, law enforcement consultants, staff or consultants responsible for the program evaluation). Describe their educational background and previous experience with the types of activities to be conducted such as analyzing tobacco-related legislation, technical assistance and training on PC 308(a) and other tobacco control laws, conducting law enforcement surveys, educational materials development, policy development, program evaluation, etc. **Do not attach resumes.**

2) Policy/Community Organizing Track

- a) Describe the applicant's experience in conducting culturally competent policy, advocacy, media, training, education, community planning, and community organizing strategies, including educational materials development and educational visits to elected officials.
- b) Describe the applicant's capability and resources to ensure timely start-up and implementation of the proposed project. Describe how the proposed project will be integrated into the agency's organizational structure.
- c) Describe the agency's effectiveness and capacity to provide policy and community organizing on a statewide basis.
- d) Describe the qualifications of key program staff (e.g., policy campaign consultants, staff or consultants responsible for the program evaluation). Describe their educational background and previous experience with the types of activities to be conducted such as community organizing, coalition development, policy campaign development and implementation, educational materials development, program evaluation, etc. **Do not attach resumes.**

b. Administrative/Fiscal Experience

- 1) Describe the applicant's current administrative staffing pattern for activities such as payroll, bookkeeping, invoicing, and general tracking of administrative and fiscal controls. Describe the qualifications of key fiscal staff, including a description of the staff's experience with monitoring government grant funds. **Do not attach resumes.**
- 2) Describe the applicant's history in the last two years managing state government grant funds. Include in the description the funding agency, the amount received, and how the grants were managed (e.g., were the grant deliverables accomplished, progress reports and invoices submitted timely, and were fiscal records in good standing ).
- 2) Describe the applicant's internal audit history in the past two years. Describe the frequency of audits, date of last audit, and a summary of the major findings from the last audit.
- 4) Indicate if the applicant has been audited by a state agency within the last two years. If yes, list: 1) the name of the state agency; 2) state agency contact person and phone number; 3) the year the audit was conducted; and 4) the outcome of the audit. CDHS/TCS reserves the right, at its sole

discretion, to follow up with references by telephone to confirm the audit history.

c. Equipment

Due to limited availability of funds, there will be no equipment approvals for agencies funded from this RFA. Therefore, agencies must have adequate equipment available for use in their proposed project.

Describe the office and computer equipment the applicant has available for use in this project. Include in the description: a) the number and type of equipment available (e.g., desks, chairs, typewriters, facsimile machines, personal computers, printers, etc.); b) whether or not the computers have modems and communications software; c) the software packages your agency uses for web sites, word processing, spreadsheets, databases, etc.; and d) approximately when the computer equipment was purchased, and its availability for use in this project, if funded.

d. Letters of Reference

The applicant should solicit and include three letters of reference. Number these letters consecutively as part of the application. If the applicant has in the past or is currently receiving funding from a local, state, or federal agency, other than CDHS/TCS, one of the references **must be** from one of these agencies. No more than three letters will be accepted.

**Note: The letters of reference must be submitted with your application. Letters submitted to CDHS/TCS prior to or after the receipt of application will not be considered. This may result in your application being considered non-compliant and not accepted for review.**

The letters are to be on the reference agency's letterhead and should include:

- 1) The address, telephone number, name, and title of the letter's author.
- 2) A description of the capacity in which the reference worked with the applicant.
- 2) The applicant's ability to provide the technical assistance and training services stated in the SOW.
- 4) The applicant's experience in providing either: a) legal and enforcement-related training and technical assistance on a statewide basis; or b) policy and community organizing training and technical assistance on a statewide basis.

- 5) The applicant's fiscal and administrative ability to manage government grant funds, including satisfactory performance with administering and managing government grant funds through timely and accurate submission of fiscal, program, and evaluation documents.

**CDHS/TCS reserves the right, at its sole discretion, to contact references for further information prior to the RFA review process.**

**7. SOW including Evaluation = 40 POINTS**  
(Attachment 5)

Please refer to the SOW and evaluation criteria on pages 22 and 23, which will be used to review and evaluate the quality of the SOW.

a. Guidelines for Completing the SOW:

- 1) The eight column SOW format must be used by all applicants to ensure consistency for review purposes by CDHS/TCS staff and reviewers.  
**SOWs presented using a format other than that described below will NOT be reviewed.**
- 2) Carefully follow the SOW requirements and preferences for funding. Provide all the required information and the detail necessary to make the proposed project clear. Applicants must provide all the required information as detailed in the instructions provided in this document.
- 3) The SOW provides the basis for grant negotiations, and along with the Budget, becomes a legally binding document. The SOW is referenced in the grant and is the "road map" that provides the direction, activities, and expected outcomes of the project. The approved SOW, and any subsequent revision, is incorporated and made part of the grant. The SOW can only be changed with prior approval from CDHS/TCS.
- 4) The Budget and Budget Justification should closely correspond to SOW activities, deliverables, and timelines. For example, if production of a radio ad is described in the SOW, funds should be budgeted for creative development, production, and placement of the ad. If promotional items are to be distributed to survey participants, these should be identified in the SOW, Budget, and Budget Justification.

**NOTE: When completing the SOW using the template provided, do not attempt to number the pages. Although page numbers do not appear on your computer screen, they are automatically tabulated by the template and appear correctly when printed.**

b. Instructions for Completing the SOW

Complete the SOW using the following instructions. Refer to Appendix E for a sample format. See Attachment 5 for a blank SOW form. A complete form/template is also available on the Internet at: [www.dhs.ca.gov/tobacco](http://www.dhs.ca.gov/tobacco). Please note, CDHS/TCS anticipates that competitive grant applications will transition into the Online Tobacco Information System in January 2005. To facilitate the transfer of the SOW, including evaluation, you are required to provide information in the format prescribed below.

1) Header Information:

The header information must be included on every page. Include your agency name and project name. The contract term is July 1, 2004 to June 30, 2007. The revision date is the date the application is submitted to CDHS/TCS (April 1, 2004). Leave the Grant Number and Progress Report Period blank.

2) Column 1: Objectives/Activities/Evaluation

a) Priority Area: At the top of the column, state the appropriate priority area(s) listed below for each objective. Objectives for statewide projects may address one or more priority areas. The applicant does not need to address each priority area with each objective.

- Counter Pro-Tobacco Influences;
- Reduce Exposure to SHS;
- Reduce Availability of Tobacco Products; and
- Increase Availability of Cessation Services.

b) Activities: Use an annotated outline format to describe the activities to be conducted to achieve the objective. Describe each activity to be conducted in terms of how much will be done and where the activities will occur. In describing the activities, quantify the amount of work to be performed in order to help justify the budget request. You are encouraged to use ranges. Indicate the length, frequency, and number of trainings, presentations, educational materials, etc. Describe where the activities will occur. Indicate where appropriate, the geographical location or site where activities will occur.

Activities are to be grouped and organized using the "Major Intervention Categories" listed below as headings. These categories are purposively broad and are a means to organize similar activities. It is not necessary to use every category and some of these may be inappropriate for training and technical assistance projects (e.g., mini-grants, sponsorships). Evaluation activities must be categorized

separately after all of the intervention activities under the heading Evaluation Design and Evaluation Intervention Activity Plan. The Evaluation Plan will be described on the SOW form. It is not a separate document.

### **Major Intervention Categories:**

- Coordination/Collaboration Activities;
- Community Education Activities
- School-based Education
- Training/Technical Assistance Activities;
- Policy Activities;
- Media Activities;
- Educational Materials Development;
- Mini-Grants
- Sponsorship Activity
- Incentive Items and
- Promotional Items.

### **Definitions and Examples of Major Intervention Categories Appropriate to Training and Technical Assistance Grants**

- Coordination/Collaboration: Describe who you will coordinate and collaborate with to avoid duplication of effort and maximize your resources. Describe what the activities will consist of; these may include coordinating with statewide projects, collaborating with LLAs, collaborating with other competitive grantees, collaborating with non-Prop. 99-funded groups, etc.
  - **Legal Example**: Participate in the Project SMART Money Workgroup calls, meetings, and trainings. Participate in other relevant calls, meetings, and trainings as necessary (e.g. Point of Sale Practices (POSP) Workgroup, BREATH, CYAN).
  - **Policy Example**: Conduct three or four policy update conference calls for TCS-funded contractors, at least one of which will focus on licensing.
- Training/Technical Assistance Activities: Describe training activities. These are activities designed to train others in the development of a new skill. Training activities may target coalition members and volunteers in how to conduct data collection activities, target tobacco clerks on how to check identification or Women, Infants, and Children Supplemental Nutrition Program

workers on how to assess SHS exposure. Training activities are more extensive than presentations and involve the use of a curriculum with specific learning objectives.

- **Legal Example**: Provide general programmatic and evaluation technical assistance and training on youth access, retail outlet advertising, enforcement of state and local tobacco control cases, and TI incentives as requested by the STORE Campaign core group, the POSP Workgroup, and the TI Monitoring Evaluation Project.
- **Policy Example**: Provide 300 to 600 hours technical assistance to 20 to 40 TCS-funded projects regarding how to work with and reach key opinion leaders, and the individuals or organizations that impact their decisions. Technical assistance will focus on coalition development and community organizing. Technical assistance will be tailored to meet the various “languages” used by key opinion leaders (e.g., ethnic, rural/urban, elected officials, non-elected community leaders, law enforcement, etc.).
- **Policy Activities**: Describe those activities that relate to the development, facilitation, and adoption of voluntary or legislated policies.
  - **Legal Example**: Review and comment on a series of policies regarding various SHS issues developed by BREATH in collaboration with TCS which may include: 1) Filling in exceptions to Labor Code section 6404.5; and 2) Controlling smoking in rental housing units.
  - **Policy Example**: Produce intermittent updates tracking progress of key tobacco control bills and budget issues estimated at 90 to 120 hours. Develop a dissemination plan to share with LLAs, statewide projects, and other TCS-funded projects.
- **Media Activities**: Describe media activities. This includes development of print, outdoor, or electronic advertisements, Public Relation (PR) activities, press events and other activities designed to either place your message in the media or obtain coverage of your message by the media (i.e., newspapers, radio, television reporters). Prior to proposing to develop any media materials, check TECC to determine if a piece currently exists that could be used or could be modified for use. In the description of advertisements to be developed, describe development process,

pilot testing/evaluation, production, and dissemination. The description should include information on the format of the piece, content, length in pages or time, who the target audience is, and the number to be printed or produced. For PR activities and press events, describe and quantify the nature of the event.

➤ **Legal Example**: In collaboration with the policy technical assistance and training statewide project, Develop two to three press releases on the impact of TI contributions, lobbying, and other expenditures on state and local legislative decisions in California.

➤ **Policy Example**: Develop two to three press releases on the impact of TI contributions, lobbying, and other expenditures on state and local legislative decisions in California. Pitch stories to local and statewide media.

- **Educational Materials**: Describe educational materials development. This does not include development of advertisements. It refers to posters, pamphlets, curriculum, videos, flip charts, etc. Prior to proposing to develop any educational or media materials, check with TECC to determine if a piece currently exists that could be used or could be modified for use. In the description of the educational material, describe development process, pilot testing/evaluation, printing, and dissemination. The description should include information on the format of the piece, content, length in pages or time, who the target audience is, and the number to be printed or produced.

➤ **Legal Example**: Develop educational materials, such as fact sheets, pamphlets, and referral booklets as necessary for legal questions about SHS. Materials may address such issues as: 1) the application of Prop. 65 to SHS, 2) smoking in child custody and foster care, and 3) the analysis of employment laws such as hiring only nonsmokers.

➤ **Policy Example**: Develop two to four three- to four-hour comprehensive curricula/models for campaign development and implementation strategy sessions. Curricula will incorporate aspects of the Midwest Academy model as well as other community organizing models.

- **Promotional Items**: Describe promotional items: promotional items are used to generate visibility and interest in the program. They generally include items such as buttons, key chains, stickers, posters, or inexpensive visors. If you do not know the exact

promotional items you will use, list possible examples (e.g., buttons, key chains, magnets, etc.) Please review the Policy Section of the *Competitive Grantees Administrative and Policy Manual* for requirements about promotional items.

- **Legal Example**: Provide promotional items, such as pens, mugs, posters, etc., to be distributed at the trainings and/or conferences.
- **Policy Example**: Provide promotional items, such as pens, mugs, posters, etc., to be distributed at the trainings and/or conferences.

- c) **Evaluation Plan**: A process evaluation plan must be provided for each objective in the proposed SOW. Present the process evaluation plan immediately following the outline of the intervention activities under the heading, “Evaluation Plan.” The Evaluation Plan is to be presented on the SOW form. **Do Not Create a Separate Document.**

**Present your process evaluation plan using the following format for each objective:**

- (1) **Outcomes**: State what is expected to change or happen as a result of the interventions.

Example: 85 percent of agencies provided telephone technical assistance will rate the level of services provided as “good to excellent.”

- (2) **Evaluation Design**: Identify the process evaluation design for all objectives as *Non-Experimental*.

- (3) **Data Collection**: State, “Data Collection Instruments” then describe all the instruments that will be used in the evaluation of the interventions. These may include written survey(s), focus group(s), key informant interview(s), observational checklist(s), etc.

The following is a list of the most commonly used process data collection activities for legal and policy technical assistance and training-based statewide projects and what components to address with each of these activities in your proposed process evaluation plan.

- (a) **Focus Group(s)**: If you will be conducting focus research as one of your process data collection activities, please address the following questions in your proposed evaluation plan:

- What is the discussion topic(s) or purpose for this focus group;
  - How many times will this focus group be conducted;
  - What are the criteria to select the participants or who will be in the group(s);
  - How many participants will be in this focus group; and
  - How will the results be analyzed and interpreted?
- (b) Key informant interview(s): If you will be conducting key informant interviews as one of your process data collection activities, please address the following questions in your proposed evaluation plan:
- What existing instrument will be used for the interview? If there is no existing instrument, please describe the main topic(s) and question(s) for the interview;
  - How many waves of the interviews will be conducted;
  - Who will be the key informants;
  - How many key informants will be in the interview;
  - What is the primary method in which the interview will be conducted; and
  - How will the results be analyzed and interpreted?
- (c) Public opinion poll(s): If you will be conducting public opinion polls as one of your process data collection activities, please address the following questions in your proposed evaluation plan:
- What existing instrument will be used for the poll;
  - How many waves of the poll will be conducted;
  - How will the sample be selected;
  - How many will be in the sample;
  - What is the primary method in which the poll will be conducted; and
  - How will the results be analyzed and interpreted?
- (d) Education/participant survey(s): If you will be conducting education/participant surveys as one of your process data collection activities, please address the following questions in your proposed evaluation plan:
- What existing instrument will be used for the survey? If there is no existing instrument, please describe the main topic(s) and question(s) for the interview;

- How many waves of the survey will be conducted;
  - How will the sample be selected;
  - How many will be in the sample;
  - What is the primary method in which the survey will be conducted; and
  - How will the results be analyzed and interpreted?
- (e) City or County Council Record: If you will be utilizing city or county council records as one of your process data collection activities, please address the following questions in your proposed evaluation plan:
- What is the topic of the council record you are collecting;
  - How will the findings from the council record be analyzed; and
  - How will the council record be used to advance your objective.
- (f) Media Activity Record: If you will be utilizing media activity records as one of your process data collection activities, please address the following questions in your proposed evaluation plan:
- What type of media activity record will be collected; and
  - How will the media activity record be used to advance your objective.
- (g) Evaluation-Related Training: If you will be conducting evaluation-related training as one of your process data collection activities, please address the following questions in your proposed evaluation plan:
- What is the purpose of this training;
  - How many times will this training be conducted;
  - How long will the training be;
  - How many trainees will be in this training;
  - How will the trainees be selected; and
  - How will the training be evaluated?
- (h) Other Process Evaluation Activities: If you will be conducting process evaluation activities other than those listed above, please describe and quantify them.
- (4) **Dissemination of Results**: Describe how you will disseminate the evaluation results. This may include presenting or publishing your findings to a professional journal, tobacco-related or health-related

conference, local media or city council, use for PR or media advocacy, posting results on PARTNERS, etc.

- (5) Training and Technical Assistance Summary Report (For Final Report Only): Compile a summary report at the end of the contract term which describes:

- (a) The methods used for the delivery of training and technical assistance services;
- (b) Which methods were most valued by the target audiences;
- (c) Lessons learned; and
- (d) Recommendations for the future.

3) Column 2: Copyright ©

Indicate if the activity involves development of a copyrightable product such as a brochure, poster, ad, manual, etc., by placing a copyright sign (©) in this column.

4) Column 3: Program Deliverable Percentage

For each program deliverable, indicate a percentage that reflects the programmatic value or percent of effort for deliverables only. The program deliverable percentage reflects a combination of staff and budget resources to complete the deliverable. A program deliverable reflects products and services developed or conducted under the contract. The deliverable is inclusive of all the coordination and collaboration conducted in order to produce the deliverable. Do not assign a percentage to activities that describe coordination, collaboration, or planning only. For example, do not assign a percentage to coordination/collaboration and planning activities that lead to the accomplishment of a press event or educational training. The press event or educational training is the program deliverable. The total of the percentages assigned in the SOW may not be greater than 100 percent and no program deliverable may be assigned a percentage of less than 0.5 percent.

At the end of the term of the SOW, the program deliverable percentage will be used to help ascertain and calculate the maximum amount of funding the grantee should receive, based upon the completion of program deliverables. If any program deliverable is not completed satisfactorily or in its entirety, the program deliverable percentage will be used to determine a reduction in payment to the grantee.

5) Column 4: Start/End Date

List the progress report periods during which each program and evaluation activity is expected to start and end. Be sure to state the progress report period in which you will begin to work on the development of the data collection instrument(s) and the progress report period in which the data collection instrument(s) will be finalized and the progress report period in which data collection will begin and end.

Use only the progress reporting periods below as the timeframes in this column. For example, July 2004 to December 2004. The progress report periods are as follows:

- **July 2004 to December 2004**
- **January 2005 to June 2005**
- **July 2005 to December 2005**
- **January 2006 to June 2006**
- **July 2006 to December 2006**
- **January 2007 to June 2007**

**If a particular activity covers multiple progress report periods, list the beginning and ending progress report periods. For example, July 2004 to December 2004, and January 2006 to June 2006.**

6) Column 5: Who is Responsible

Indicate the position responsible for each program and evaluation activity. This may include program staff, volunteers, coalition members, consultants, or subcontractors. Indicate the **specific position**, such as Project Director or Evaluator. These positions must correspond to the positions used in the Budget Justification. You may abbreviate position titles (e.g., H.E. for Health Educator). Provide a key to identify position titles if using acronyms. Do not include agencies or individuals that **are not** within your control (e.g., city officials, schools, etc.).

7) Column 6: Tracking Measures

List the items that are used to document and verify that program and process evaluation activities are completed. These range from sign-in sheets, meeting logs, and press releases, to more complex measures such as focus group findings, survey instruments, and survey results. These measures verify that the activity occurred, provide supporting documentation for the progress report, and represent the process evaluation.

8) Columns 7 and 8: For Progress Report Use Only

These columns should be left blank. They are used only for completing progress reports.

**8. Budget Justification/Budget = 20 POINTS**

(No Attachment)

**Criteria**

Funding preference shall be given to applicants that:

- Submit reasonable budgets for the proposed quality and quantity of activities in the SOW;
- Propose reasonable personnel and consultant costs, given the qualifications of the individuals and needs of the project;
- Propose salaries consistent with Comparable State Civil Service Classifications (See Appendix H);
- Provide the level of detail requested in the Budget and Budget Justification instructions;
- Designate one staff person as the lead on evaluation activities; and
- Allocate a minimum of five percent of the time toward overseeing evaluation activities, including the coordination of an evaluation consultant or subcontractor that may be hired.

The Budget Justification must be a realistic depiction of the expenses for your project.

**Budgets must be prepared and spent on a FY cycle as required by the State Department of Finance. Funds not spent in one FY will not be available for use in the following FYs.**

When preparing the Budget Justification, take into consideration changes that may occur due to programmatic or administrative needs (e.g., personnel increases/decreases throughout the budget period(s), etc.).

**1. Budget Justification Instructions**

The Budget Justification: 1) describes and justifies the expenditures associated with the activities in the SOW; and 2) helps evaluate the SOW and Budget. Please refer to Appendix G for the required Budget Justification format. This format is required to maintain a standardized review and audit trail. Please note, this is only a **sample** of how to complete the Budget Justification. All figures in the sample are fictitious.

Prepare one Budget Justification for the entire grant period. Only use whole numbers and round to the nearest dollar. When you complete the Budget Justification, transfer the totals to the Budget page.

When preparing the Budget Justification, take into consideration changes that may occur due to programmatic or administrative needs. For example, the number of staff may increase/decrease as program intensity fluctuates. Keep in mind funds that are unspent in one FY will not be available for use in the following FYs.

a. Personnel Costs

This category of the Budget Justification provides detail on the following:

1) Position Title:

List all classifications or functional titles for positions for the grant period. Position titles used in the Budget Justification must be consistent with the titles used in the SOW in the “Who is Responsible” column. Management and fiscal personnel (e.g., Executive Director, Deputy Director, Attorney, Bookkeeper, etc.) budgeted at less than 10 percent should not be included in the Personnel Costs category, but should be included in the Indirect Expenses category. Agencies having an established policy that includes such positions in the Personnel Costs category shall so indicate and attach a copy of the policy to the Budget Justification.

2) Salary Range:

Identify the actual salary range and the frequency of pay periods (i.e., monthly, semi-monthly, bi-weekly, weekly, or hourly) for each position. The salary range shall reflect the frequency that the employee is actually paid. Do not use annual salaries. Whether part-time or full-time, enter the low-end and high-end of the full-time salary range for each position listed. Make sure the high-end of the salary range allows for any anticipated salary increases (e.g., performance or merit salary adjustments) for the position through the end of the grant period. Examples of actual salary ranges are: \$3,000 to \$3,473 per month, \$1,800 to \$1,985 per semi-monthly pay period, \$1,600 to \$1,764 per bi-weekly pay period, \$840 to \$926 per week, \$9 to \$12 per hour, etc.

Pursuant to Section 3.17.1 of the *State Contracting Manual*, salaries paid to project staff shall not exceed those paid to State personnel for similar positions/classifications. (See Appendix H for a listing of Comparable State Civil Service Classifications.) **If any proposed salary exceeds the State personnel salaries, justify the reason**

**and necessity for the higher rate. Any such justification will receive close review by the State, and must be approved in writing by the State. CDHS/TCS may request additional information during grant negotiations.**

3) Percent of Time:

For each position indicate the percent of time, in whole numbers, or the total hours per pay period. For example, a full-time bi-weekly employee is 100 percent time, a bi-weekly employee who works 20 hours of a 40-hour workweek is 50 percent time. For hourly employees estimate the total number of hours per pay period (allow for low and high working cycles). If the amount of time for some positions vary from month to month, enter a percent of time **range** (e.g., 30 to 40 percent, or 10 to 20 hours per pay period, etc.).

4) Pay Periods:

Indicate the number of pay periods for which payment shall be claimed. Pay periods are defined as follows:

Monthly = 12 pay periods per year

Semi-monthly = 24 pay periods per year

Bi-weekly = 26 pay periods per year

Weekly = 52 pay periods per year

Hourly = "X" number of hours per pay period (do not use percents of time if a position is paid hourly)

5) Description of Duties:

Provide a brief description of the duties, responsibilities, and activities to be performed by each position in support of this grant. Within the description identify the lead staff person responsible for overseeing and coordinating evaluation activities. Indicate the appropriate percent of time for this lead staff person.

6) Amount Requested:

Calculate and list the dollar amount requested for each position.  
(Salary x percent of time x number of pay periods = Total for position).

**NOTE: The total amount requested cannot be:**

- Less than the lowest dollar amount computed by multiplying the low-end of the salary range x the low end of the percent of time x the lowest number of pay periods; or

- Greater than the highest dollar amount computed by multiplying the high-end of the salary range x the high-end of the percent of time x the highest number of pay periods.

**Total Personnel Costs: Add all personnel position dollar amounts requested in support of this grant to compute the Total Personnel Costs.**

b. Fringe Benefits

Refer to Appendix J, Contract Uniformity, for specific allowable Fringe Benefits. Please note that Fringe Benefits do not include employee leave (i.e., annual leave, vacation, sick leave, holidays, jury duty, and/or military leave training). List the benefits that your agency provides. If applicable, identify positions that will not receive benefits with an asterisk (\*). List the percentage rate and the dollar amount requested for fringe benefits. If the percentage rate for benefits differs for various positions, indicate the low and high range (e.g., 20 to 25 percent).

**Total Personnel Expenses: Add the Total Personnel Costs and Fringe Benefits to compute the Total Personnel Expenses.**

c. Operating Expenses

**NOTE:** Items 1) and 2) below must appear in every Budget Justification. If there are no expenses related to these line items, please enter zero.

1) CDHS/TCS Communications Network (PARTNERS)

All funded grantees are **required** to obtain and maintain an active PARTNERS account. While there is no charge to TCS-funded grantees for the PARTNERS subscription, your agency should budget for an Internet access-provider.

Internet access fees are generally \$20 to \$25 per month. Budget for the monthly-internet access fees for the entire grant period. (Agencies not assessing an internet fee must indicate in the Budget Justification that they will be accessing PARTNERS; however, they will not be assessing CDHS/TCS an internet fee.)

2) Space Rent/Lease

Provide the total number of square feet to be charged to this grant and the cost per square foot. Allow for any anticipated rate increases during the period. Multiply these figures by the number of months in the Budget period to obtain the subtotal. **Square footage shall not**

**exceed 150 square feet per full-time equivalent plus “reasonable” square footage for shared space such as conference rooms, storage space, etc.** If the total square footage needs of the project exceed State standards, justify the need for the additional space.

(Total square feet) x (Cost per square foot) x (Number of months)

Example:

2 staff x 150 square feet x \$1.25/square foot x 12 months = \$4,500

2 staff x 150 square feet x \$1.50/square foot x 12 months = \$5,400

2 staff x 150 square feet x \$2.00/square foot x 12 months = \$7,200

Total for 36 months = \$17,100

### 3) General Expenses:

Agency expenditures are to be indicated as separate line items. Include in this line item expenses for office supplies, postage, duplicating, and communications.

#### a) Office Supplies:

This expense is for general office supplies (e.g., pens, pencils, paper, etc.). Equipment, travel expenses, etc., are not considered office supplies.

#### b) Postage:

This expense is for postage of correspondence and other materials.

#### c) Duplicating:

This expense is for “in-house” duplicating and reproducing. The duplicating is internal and routine, usually for small office jobs. This can include the tobacco program’s share of your agency’s copy machine usage. It can also include copier maintenance agreements and copier supplies such as paper, toner, etc. (Duplicating supplies such as paper, and toner may be included in either the Office Supplies line item or the Duplicating line item, but should not be included in both.)

#### d) Communications:

- This expense refers to installation and any monthly charges related to the telephone system including fax line costs.

- Cellular phones and monthly access fees are **not** authorized for this contract.
- Pagers and monthly fees may be authorized. Pagers will be considered on an individual basis and is dependent upon the need of the applicant and approval of CDHS/TCS.

Add Items a) through d) to compute the Total General Expenses.

4) Printing:

Include expenses for printing and reproduction; this is usually for larger jobs completed by outside vendors (e.g., brochures, leaflets, posters, forms, etc.).

5) Equipment Rental:

List all rental equipment, quantify each item, and provide for each item the monthly rental rate, number of rental months, and the approximate dollar amount. Examples of rental items are computer and office equipment. Rental Equipment will be authorized on a case-by-case basis.

**NOTE:** Renting/leasing to own, purchase/leaseback, and lease/purchase of equipment is not allowed.

6) Audit Expenses:

All TCS-funded grantees are required to conduct an audit in accordance with the requirements specified in the Federal Office of Management and the Budget Circular A-133, entitled *Audits of States, Local Governments, and Non-Profit Organizations*. The Budget amount should represent the proportionate amount of this grant in relationship to your business' total revenue. For example, if this grant represents ten percent of your business' total revenue, then this grant would be responsible for no more than ten percent of the total annual audit costs. In your Budget Justification, provide the dollar amount allocated for the audit, how you arrived at this figure, the percentage this contract represents of your business' total revenue and identify the FY in which you operate (e.g., July 1 through June 30). **When combined, this Audit Expense line item plus the Indirect Expenses line item must not exceed 25 percent of your Total Personnel Expenses (Personnel Costs plus Fringe Benefit line item amounts).** Applicants choosing not to allocate funds for audit purposes must provide a written justification indicating how they intend to comply with the audit requirement.

- 7) Continue to add line items if needed, numbering sequentially following Audit Expenses. **Please list them individually and be specific.** Provide enough information to justify each additional line item.

Total Operating Expenses: Add all Operating Expense line items in order to compute the Total Operating Expenses.

d. Equipment Expenses

**Due to the limited availability of funds for this RFA, there will be no equipment approvals for this RFA process. Therefore, place a \$0 in the equipment category in the Budget Justification.**

e. Travel/Per Diem and Training

Travel and training are to be consistent with the needs of the tobacco control project and supportive of the SOW. **Travel is reimbursed at the current State Department of Personnel Administration rates.** See Appendix I, Travel Reimbursement Information. Additionally, State funds may not be used for out-of-state travel per diem and training/conferences without prior written approval by CDHS/TCS.

**NOTE: The following numbered line items must appear in every Budget Justification in the order presented here. If there are no expenses related to one of these line items, enter zero.**

1) Project Travel/Training:

- a) Project Travel: Includes airfare, meals, lodging, incidental expenses, and mileage which are necessary to implement your SOW (e.g., to conduct local surveys of in-store tobacco advertising, to attend local, or Priority Populations Partnerships, meetings or trainings, etc.). Provide the approximate dollar amount requested for project travel that is directly related to completion of the SOW.
- b) Project Training: Includes registration fees for staff development or any other additional training events for professional, clerical, administrative personnel, advisory board members, youth volunteers, committee members, etc., necessary for the completion of activities in the SOW. Training may include courses on computer software, meeting facilitation, planning, leadership, etc. Provide the dollar amount requested for project training costs that are related to completion of the SOW.

## 2) CDHS/TCS Travel/Training (optional):

### General Description:

Number of Trainings/Conferences: CDHS/TCS and its statewide contractors (e.g., Priority Population Partnerships, statewide public relations contractor, CYAN, BREATH, and others) may conduct two to four trainings/conferences each year.

These trainings/conferences are specifically directed toward CDHS/TCS-funded projects, provide opportunities for project staff to learn from national, state, and local experts regarding evaluation, media, and advocacy, and are a means to be connected to California's larger tobacco control movement.

Length of Trainings/Conferences: Each training/conference is usually one to two days.

Training Sites: Each training is generally offered only once. Occasionally, trainings are offered twice: one in Northern California (generally Bay Area or Sacramento counties) and one in Southern California (generally Los Angeles, Orange, or San Diego counties).

### a) Trainings/Conferences by CDHS/TCS and Statewide Contractors:

It is recommended that you budget for one or two staff to attend two to five CDHS/TCS trainings per FY at \$750 per person. Over the next three years, trainings may include the following topics:

- Harm Reduction
- I&E visits to the State Capitol annually.
- LLA Guidelines Technical Assistance Meeting in FY 2006-07 (Spring 2007)
- SHS Live, Work & Play in FY 2004-05 (Summer 2004)
- Communities of Excellence (CX) Priority Populations Training in FY 2004-05 (January 2005).

## 3) Required CDHS/TCS Travel/Training

- a) Project Directors' Meeting (PDM): This event (generally every 18 months) is typically a four-day conference for two to three program and evaluation staff. Budget this expense in FY2004-05 (Spring 2005) and FY 2005-06 (Spring 2006). *PDM is expected to be held in the spring of 2005 in Sacramento, California.*

Budget \$1,200 per person (\$1,000 for travel/per diem and \$200 for registration) for a maximum of two to three program and evaluation staff to attend.

b) CX Training:

Budget \$750 per person for one or two staff to attend the CX training in FY 2006-07 (Fall 2006).

c) LLA Guidelines Information Meeting

Budget \$750 per person for one or two staff and the project evaluator to attend the Information Meeting in FY 2006-07 (Winter 2007).

4) Out-of-State Travel

Identify any possible out-of-state trips. Include the amount budgeted, number of staff, and purpose. However, final approval of any out-of-state travel will be contingent upon participating in the conference as a presenter, panel member, speaker, etc. All out-of-state travel not approved through this budget process will require written CDHS/TCS approval.

a) National Conference on Tobacco or Health (**optional**)

Agencies budgeting for this conference must be session presenters at the conference in order to attend. Agencies must submit to CDHS/TCS the documentation from the National Conference Committee to verify agency participation.

Budget \$1,400 per person (\$1,100 travel/per diem and \$300 registration) for one or two program staff to attend the National Conference in FYs 2004-05 and 2006-07. The 2004-05 National Conference on Tobacco or Health will be held in Chicago, Illinois on May 4-6, 2005.

b) World Conference on Tobacco or Health (**optional**)

Budget \$1,400 per person (\$1,100 travel/per diem and \$300 registration) for one or two staff to attend the World Conference on Tobacco or Health. Budget in FY 2006-07 only. The site for the conference is Washington, D.C. and it will take place July 12 to 15, 2006.

f. Subcontracts and Consultants

**NOTE: Item 1) Mini-Grants must appear in every Budget Justification. Place a \$0 in the Mini-Grant category in the Budget Justification if mini-grants are not used.**

- 1) Mini-Grants: Mini-Grants provide a flexible funding mechanism that allows for quick response to opportunities within the community. Mini-Grants can be awarded for amounts not to exceed \$5,000 and are for operating expenses and temporary help only. Personnel costs are not allowed. Mini-Grants must be used for activities that support the CDHS/TCS priority areas. Provide a brief description of the areas that mini-grants might cover, the dollar amount, and estimated number of mini-grants to be awarded for the contract term. General mini-grant programs are not permitted under this RFA.
- 2) Subcontracts are usually for long term projects needing salaried positions, indirect costs, etc. The subcontractor should provide a specialized task that is directly related to the project's activities. The subcontractor's salary should not exceed those paid to state personnel for similar positions/classifications (See Appendix H for a list of Comparable State Civil Service Classifications).

**NOTE: Subcontractor Indirect Costs shall not exceed 25 percent of their Personnel Expenses (Personnel Costs plus Fringe Benefit line item amounts).**

The concept of subcontracts in the RFA will be reviewed by the assigned application reviewers. If approved and prior to reimbursement, CDHS/TCS must review and approve subcontract agreements costing \$5,000 or more.

List the subcontract(s) that will provide a specialized task that is directly related to the project's activities. Make sure the subcontractors listed in the Budget Justification are also referenced in the SOW. For each subcontractor provide the name of the individual or agency, a description of activities to be performed, period of time, and total cost for services. List each subcontract separately on the Budget Page (See Appendix F, Budget Sample).

- 3) Consultants are individuals whose level or area of expertise relating to the project activities extends beyond that possessed by project staff. Typical services provided by a consultant is advice on programmatic issues (e.g., group facilitator, in-service training, program design and development, program evaluation, etc.). At no time should a consultant's fee exceed the fee of a Comparable State Civil Service

Classification, inclusive of all costs, but excluding travel/per diem. The rate should be commensurate with the consultant's level of training, expertise, and national recognition. **Every effort should be made to negotiate the lowest possible cost.** Refer to Appendix H for a list of Comparable State Civil Service Classifications. If you cannot find a comparable classification on this chart, contact your assigned Contract Manager for assistance. Make sure the consultants listed in the Budget Justification are also referenced in the SOW. For each consultant, provide the consultant name, hourly rate, number of hours to be worked (e.g., per week, per month, per year, etc.), total cost, and description of activities to be performed.

The concept of the consultants in this RFA will be reviewed by the assigned application reviewers. If approved and prior to reimbursement, CDHS/TCS must review and approve consultant agreements costing \$5,000 or more.

Total Subcontracts and Consultants: Add all subcontract line item amounts to compute the Total Subcontracts and Consultants.

g. Other Costs

**NOTE: Items 1) through 5) below must appear in every Budget Justification in the order presented here. If there are no expenses related to one of these line items, enter zero. If incentives and sponsorships are not utilized, place a \$0 in the Incentive and Sponsorship categories in the Budget Justification.**

**Refer to Policy Section, Section II, Chapter 300, for more information on educational materials and promotional items. This information can be accessed at <http://www.dhs.ca.gov/tobacco/html/RequestforApplications.htm>,**

1) Educational Materials:

Includes the purchase of brochures, pamphlets, posters, curriculum, training guides, videos, slides, flip charts, CD-ROMs, etc., necessary for program activities.

**NOTE: Do not itemize, use broad categories and estimates only.**

2) Promotional Items:

These are miscellaneous items provided to individuals in order to generate visibility and interest, increase public awareness, and to promote attitudes which support tobacco control activities in the

community, (e.g., buttons, key chains, stickers, posters, inexpensive visors, etc.). The intent of the bumper sticker is not to facilitate behavior change, but to generate interest and enthusiasm for the program. Make sure the promotional items listed in the Budget Justification are also referenced in the SOW. Provide a list of promotional items and total budgeted amount.

**NOTE: Do not itemize or give detail of quantity, cost, or subtotal for each item. Only provide a list of items and the total budgeted amount. These are only estimates.**

- 3) Incentives: *(not to exceed \$50 per participant per year)* These are awards provided to intervention participants to reinforce a positive behavior change. **Cash awards and rewards are not permitted.** Incentives are not to exceed \$50 worth of merchandise per person per year. Make sure the incentive items listed in the Budget Justification are also referenced in the SOW. List incentive items and total budgeted amount.

- 4) Media:

This line item may include the development, purchase, or placement of PSAs, paid advertisements on radio, television, newspaper, magazines, billboards, bus shelter ads, organizational newsletters, and neighborhood advertising papers. Development of PSAs, radio, television, and print advertisements may be budgeted either in this line item or in the Subcontracts and Consultants category, but should not be in both. List the types of planned media that supports activities in the SOW and the total budgeted amount. Make sure the media, PR, and advertising items listed in the Budget Justification are also referenced in the SOW.

- 5) Sponsorships: Sponsorship is a type of advertising that prominently promotes an anti-tobacco use message. The purpose of a sponsorship is to counter TI's pro-tobacco use messages in the community and to develop community goodwill for anti-tobacco use through educational, media, and policy activities. The sponsor (your program) should receive something tangible in exchange for being the sponsor. The larger the sponsorship, the larger the value the sponsor should receive which may include large signage at the event, advertising in the event program or materials, booth space, publicity on radio or television, public announcements at the event, tobacco-free policy, etc.

List and describe the potential sponsorships and the total budgeted amount. The use of sponsorships must be described in the SOW.

- 6) Continue to add line items if needed, numbering sequentially following sponsorships.

Please list them individually and be specific. For example, facility fees for renting a meeting room to conduct a training or renting a booth at a health fair, etc. Provide enough information to justify each additional line item. Make sure the additional line items listed in the Budget Justification are also referenced in the SOW.

Total Other Costs: Add all Other Costs line items in order to compute the Total Other Costs.

#### h. Indirect Expenses

Indirect Expenses are costs that are not directly associated with the project's deliverables. Examples of Indirect Expenses are: management and fiscal personnel (e.g., Executive Director, Deputy Director, Attorney, Bookkeeper), bookkeeping and payroll services, utilities, building and equipment maintenance, janitorial services, insurance costs, and any expenses related to the mandatory annual Financial and Compliance audit.

Provide a list of all Indirect Expenses charged to this grant and the dollar amount requested. **Indirect Expenses CANNOT EXCEED 25 percent of the Total Personnel Expenses (Personnel Costs plus Fringe Benefits).**

**NOTE: Costs associated with the annual Financial and Compliance Audit may either be budgeted in this line item or budgeted in the Audit Expense line item under Operating Expenses. If audit costs are budgeted in the Audit Expense line item, the Audit Expense line item plus Indirect Expenses line item must not exceed 25 percent of the TOTAL PERSONNEL EXPENSES (Personnel Costs plus Fringe Benefit line item amounts).**

Total Expenses: Add items a. through h. to Compute Total Expenses.

## 2. Evaluation Synopsis

Provide a brief synopsis after Total Expenses on the five percent minimum requirement for evaluation activities. Include the following in the evaluation synopsis:

- a. A list of all line items in each category that will have any evaluation expenses.

- b. The dollar amount of the evaluation expenses per budget category.
- c. The total amount budgeted for evaluation.
- d. Consider the following factors when determining the evaluation budget:
  - 1) At least five percent of a lead staff person's time is required to oversee and coordinate the evaluation activities;
  - 2) Any operating expenses (such as duplicating, posting on PARTNERS, etc.) related to the evaluation activities; and
  - 3) The expenses for an evaluation consultant or subcontractor related to the evaluation activities.
- e. The following categories must appear in every Evaluation Synopsis in the order presented here. If there are no expenses related to one of these categories, enter zero. The information below is a sample of a completed evaluation synopsis for a three-year RFA for \$300,000.
  - 1) Personnel: \$7,635  
 Project Director: Budget \$6,960 for five percent of the Project Director's time for the grant term to work with the designated evaluator.  
  
 Temporary Help: Budget \$675 (75 hours x \$9 per hour) for temporary help to input data for the grant term.
  - 2) Fringe Benefits: \$2,291  
 Thirty percent of Personnel Expenses listed above (\$7,635).
  - 3) Operating Expenses: \$1,000  
 For supplies associated with collecting data and dissemination of evaluation findings (posting on PARTNERS, duplicating, mailing, etc.).
  - 4) Equipment Expenses: \$0
  - 5) Travel/Per Diem & Training: \$0
  - 6) Subcontracts and Consultants: \$2,000  
 To hire a Project Evaluator for approximately 350 hours for the grant term.
  - 7) Other Costs: \$0

- 8) Indirect Expenses: \$2,482  
Twenty-five percent of Personnel and Fringe Combined (\$9,926).

Allocation = \$15,408 (approximately five percent of a \$300,000 budget).  
Grantees must allocate at least five percent towards Evaluation.

### **3. Budget Page Instructions**

#### **a. General Budget Page Instructions**

The Budget is a summary of the expenses described in the Budget Justification. It must be realistic, cost-effective, and appropriate to the proposed SOW. The Budget is the controlling mechanism for expenditures and the basis for approval of invoices.

Using the format provided in Appendix F, Budget Sample, transfer the figures from the Budget Justification for each of the FY(s) within the RFA period. Only use whole numbers and round to the nearest dollar. Once approved, the Budget will be incorporated into the contract. Again, it is imperative that you carefully budget the expenses for each FY(s) as accurately as possible.

#### **b. Budget Page Format**

The Budget consists of eight categories:

- Personnel Costs;
- Fringe Benefits;
- Operating Expenses;
- Equipment Expenses;
- Travel/Per Diem and Training;
- Subcontracts/Consultants;
- Other Costs; and
- Indirect Expenses.

The Budget will consist of three columns. See Appendix F, Budget Sample.

The Subcontracts/Consultants and Other Costs categories may contain several line items with associated costs. Each line item within these two categories must be itemized in the Budget Justification and on the Budget page.

The concept of the subcontracts in the RFA will be reviewed by the assigned application reviewers. If approved and prior to reimbursement,

CDHS/TCS must review and approve subcontract agreements costing \$5,000 or more.

## **9. Additional Required Forms**

The following documents require Completion/Signature by the person authorized to bind the application agency.

- a. Drug Free Workplace Certification (Attachment 6)
- b. Agency Documentation Requirements (Attachment 7)
- c. Proof of Non-Profit Status (No Attachment)  
California public or private nonprofit organizations are eligible to apply for funds. For those applicants claiming private nonprofit status, a certification from the State of California, Office of Secretary of State, or a letter from the Department of the Treasury, IRS classifying the applicant as a private nonprofit must be included with the application (See Sample Form, Appendices A and B).
- d. Certification of Non-Acceptance of Tobacco Funds (Attachment 8)

---

**V. TABLE OF CONTENTS FOR ENCLOSED ATTACHMENTS**

---

<b>ATTACHMENT</b>	<b>PAGE</b>
1. Application Cover Sheet.....	59
2. Application Checklist.....	60
3. Table of Contents .....	61
4. Acknowledgement of Communications Projects Form.....	62
5. Scope of Work .....	63
6. Drug-Free Workplace Certification .....	64
7. Agency Documentation Requirements .....	65
8. Certification of Non-Acceptance of Tobacco Funds .....	67

---

**COVER SHEET: RFA TCS 04-101 Legal and Policy Technical Assistance and Training**


---

## 1. Applicant Information:

Applicant Name \_\_\_\_\_

Project Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

County \_\_\_\_\_

Contact Person \_\_\_\_\_

Telephone (\_\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_\_) \_\_\_\_\_

Email \_\_\_\_\_

Federal Taxpayer Identification Number \_\_\_\_\_

## 2. Term of Grant: From 07/01/04 to 06/30/07

## 3. Total Budget Amount Requested \_\_\_\_\_

4. Location and Geographic Location of Project: Statewide

## 5. Indicate which technical assistance and training component you are applying for, policy or legal.

- ☐ Policy Technical Assistance and Training or  
☐ Legal Technical Assistance and Training

6. The undersigned hereby affirms that the statements contained in the application package are true and complete to the best of the applicant's knowledge and accepts as a condition of a grant, the obligation to comply with the applicable state and federal requirements, policies, standards, and regulations. The undersigned recognizes that this is a public document and open to public inspection. Person authorized by the Board to sign (e.g., Board of Directors, Superintendent of Schools, etc):

Signature of  
 Agency Representative \_\_\_\_\_ Date \_\_\_\_\_

Print Name and Title \_\_\_\_\_

---

**APPLICATION CHECKLIST**


---

The following attachments and components must be completed and submitted in the order shown here. Applications that are missing any of these attachments or components will be considered non-compliant and will not be reviewed. Please note that you are not required to submit the Application Checklist.

<b><u>Attachments and Components</u></b>	<b><u>Check Mark</u></b>
• One Original Application	_____
• Six copies of the Application	_____
• Six copies of the Narrative including the SOW Summary	_____
➤ • Application Cover Sheet (Attachment 1)	_____
• Application Checklist (Attachment 2)	_____
• Table of Contents (Attachment 3)	_____
• SOW Narrative – (No Attachment, 10 page maximum)	_____
• <u>Coordination</u>	
Ⓟ • Acknowledgement of Communications Projects Form (Attachment 4)	_____
• Letter from the Evaluation Consultant	_____
• <u>Applicant Capability</u> – (No Attachment, 10 page maximum, not including Letters of Reference)	
• Program/Evaluation Experience	_____
• Administrative/Fiscal Experience	_____
• Equipment	_____
• Letters of Reference (3 required)	_____
• SOW including Evaluation (Attachment 5)	_____
• Budget/Budget Justification (No Attachment)	_____
➤ • Drug-Free Workplace Certification (Attachment 6)	_____
➤ • Agency Documentation Requirements (Attachment 7)	_____
• Proof of Non-Profit Status (No Attachment)	_____
➤ • Certification of Non-Acceptance of Tobacco Funds (Attachment 8)	_____

**NOTE: ➤ DENOTES THE DOCUMENT REQUIRES A SIGNATURE BY THE PERSON AUTHORIZED TO BIND THE APPLICANT AGENCY. READ THE DOCUMENTS AND ALLOW TIME TO OBTAIN THE REQUIRED SIGNATURE.**

**NOTE: Ⓟ DENOTES THE DOCUMENT REQUIRES THE SIGNATURE OF THE TOBACCO PROGRAM DIRECTOR.**

---

**TABLE OF CONTENTS**

---

	<b>PAGE</b>
1. Narrative including SOW Summary .....	
2. Coordination.....	
3. Applicant Capability .....	
4. Scope of Work .....	
5. Budget .....	
6. Budget Justification .....	
7. Drug-Free Workplace Certification .....	
8. Agency Documentation Requirements .....	
9. Proof of Non-Profit Status .....	
10. Certification of Non-Acceptance of Tobacco Funds.....	

**ACKNOWLEDGEMENT OF COMMUNICATIONS PROJECTS FORM**

For CDHS/TCS

**Legal and Policy Technical Assistance and Training**

RFA (TCS-04-101) Application

*Applicant Agency: Please copy this form and send it to the appropriate agency to complete. Requests for signatures must occur by March 24, 2004***TO:**\_\_\_\_\_  
*Project Director*\_\_\_\_\_  
*Agency Name**Agency Classification:*☐ LLA☐ Competitive Grantee☐ Statewide Project☐ Other**FROM:**\_\_\_\_\_  
*Applicant Agency Representative*\_\_\_\_\_  
*Applicant Agency Name*

**Please answer the following statements, sign, and return this form to the applicant agency immediately. Thank you.**

I confirm that the applicant agency identified above communicated with our agency to coordinate and/or collaborate in the proposed SOW activities for the CDHS/TCS **Legal and Policy Technical Assistance and Training, RFA TCS-04-101** Application.

☐ **Yes**, there was adequate communication with the applicant agency to plan for coordination and/or collaboration where appropriate.

☐ **No**, there was not adequate communication with the applicant agency to plan for coordination and/or collaboration.

If the applicant agency is planning to coordinate or collaborate with your agency briefly describe how:

\_\_\_\_\_  
\_\_\_\_\_

Is there duplication of activities? ☐ **Yes** ☐ **No**

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Exhibit A

ATTACHMENT 5

Scope of Work

Agency Name:  
Grant Number:

Project Name:		Revision Date:			Report Period:		
Objectives/Activities/Evaluation	Copy-right	Percent	Start/ End Date	Who Is Responsible	Tracking Measures	For Progress Report Use Only	
						Document Number/ Letter	Actual Date(s) Completed
Priority Area:							

\* Indicates a change

+ On file in office

Page\_\_of\_\_

STATE OF CALIFORNIA

**DRUG-FREE WORKPLACE CERTIFICATION**

STD. 21 (12/93)

*I, the official named below, hereby swear that I am duly authorized legally to bind the prospective bidder, contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.*

COMPANY / ORGANIZATION NAME:

OFFICIAL'S NAME:

DATE EXECUTED:

EXECUTED IN THE COUNTY OF:

CONTRACTOR or GRANT RECIPIENT SIGNATURE:

TITLE:

FEDERAL ID NUMBER:

The firm named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above named contractor or grant recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:
  - (a) The dangers of drug abuse in the workplace,
  - (b) The person's or organization's policy of maintaining a drug-free workplace,
  - (c) Any available counseling, rehabilitation and employee assistance programs, and
  - (d) Penalties that may be imposed upon employees for drug abuse violations.
3. Provide as required by Government Code Section 8355(c), that every employee who works on the proposed contract or grant:
  - (a) Will receive a copy of the company's drug-free workplace policy statement, and
  - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

At the election of above named firm, from and after the "Date Executed" and until \_\_\_\_\_ (not to exceed 36 months CDHS will regard this certificate as valid for all contracts or grants entered into between the above named firm and CDHS without requiring the above named firm to provide a new and individual certificate for each contract or grant. If the above named firm elects to fill in the blank date, then the terms and conditions of this certificate shall have the same force, meaning, effect, and enforceability as if a certificate were separately, specifically, and individually provided for each contract or grant between the above named firm and CDHS.

---

**AGENCY DOCUMENTATION REQUIREMENTS**

---

CDHS may audit contracts at any time. The documentation required for each audit may typically include, but is not limited to the following:

Fiscal Records

- A. General Ledger, Journals, and Charts of Accounts
- B. Cash Receipts and Disbursements Journal with Supporting Documents
- C. Vendor Invoices to Support Expenditures
- D. Program Remittance Advices from the State Controller
- E. Payroll Records, including, but not limited to personnel time sheets signed/dated by the employee and supervisor reflecting actual time worked on program
- F. Travel Log, Employee Expense Claims, and appropriate receipts
- G. Billing Records (Program Log)
- H. State and Federal Tax Withholding Records
- I. Financial Statements and Independent Auditor's of County Auditor's Report
- J. Computation of the Fringe Benefit of Fund Sources
- K. Agency wide Budget and Listing of Fund Sources
- L. Copies of Monthly Invoices to the State
- M. Copies of Reimbursement Warrants and Remittance Advices from the State
- N. Administrative Manuals such as Personnel Policies and Procedures, Travel Policies, and Procedures

Program Records

- A. Project Application (submitted in response to this RFA)
- B. Contract and Contract Amendments
- C. CDHS/TCS *Competitive Grantee Administrative and Policy Manual*
- D. Progress Reports and the Final Report
- E. Program Audit Reports of Site Visits
- F. SOW
- G. Correspondence Regarding the Contract and/or Subcontracts
- H. Program implementation records that document the number of people served, materials developed activities conducted, etc. These records may include, but are not limited to: logs; sign-in sheets; meeting minutes; survey and evaluation data; etc.

Other Records

- A. Board of Director's Minutes and Articles of Incorporation
- B. Non-Profit Approval Letter/Certification
- C. Organization Chart (Agencywide) and Duty Statements
- D. Program Correspondence Files
- E. Other Program Audits of the Facility

I certify that the above will be available upon request by CDHS, CDHS/TCS  
Program/Contract Manager, and/or Auditors.

Director of Agency:

Agency Financial Management Official:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Print Name and Title

## CERTIFICATION OF NON-ACCEPTANCE OF TOBACCO FUNDS

---

Company/Organization Name

---

**Please check one of the following:**

☐ The applicant named above hereby certifies that it will not accept funding from nor have an affiliation or contractual relationship with a tobacco company, any of its subsidiaries, or parent company during the term of the grant from CDHS/TCS.

☐ University/Colleges Only

The Principal Investigator of the university or college named above hereby certifies that he/she has not received funding from nor had an affiliation or contractual relationship with a tobacco company, any of its subsidiaries, or parent company within the last five years prior to the start date of the grant period. In addition, the Principal Investigator of the university or college named above hereby certifies that he/she will not accept funding from nor have an affiliation or contractual relationship with a tobacco company, any of its subsidiaries, or parent company during the term of the grant from the CDHS/TCS.

---

### CERTIFICATION

---

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

Director of Agency or Principal Investigator:

---

Signature

---

Date

---

Print Name and Title

---

**VI. TABLE OF CONTENTS FOR ENCLOSED APPENDICES**

---

<b>APPENDIX</b>	<b>PAGE</b>
A. Certification Application (Statement Domestic Nonprofit Corporation) .....	69
B. Department of Treasury IRS Form L-178 .....	71
C. Partial List of Tobacco Subsidiary Products.....	74
D. Copyright and Ownership of Materials .....	79
E. Scope of Work Instructions Overview .....	82
F. Budget Sample .....	83
G. Budget Justification Sample .....	84
H. Comparable State Civil Service Classifications .....	85
I. Travel Reimbursement Information (Contract Management Unit Bulletin 01).....	86
J. Contract Uniformity.....	88



State of California  
Bill Jones  
Secretary of State

Appendix A  
Page 1 of 2

STATEMENT BY DOMESTIC NONPROFIT CORPORATION

Filing Fee \$20.00 – If Amendment, See Instructions

IMPORTANT – Read Instructions Before Completing This Form

1. CORPORATE NAME: (Do not alter if name is preprinted.)

This Space For Filing Use Only

2. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE IN CALIFORNIA, IF ANY  
(If none, complete 3) CITY AND STATE ZIP CODE

3. MAILING ADDRESS CITY AND STATE ZIP CODE

LIST THE NAMES AND COMPLETE ADDRESSES OF THE FOLLOWING OFFICERS: (The corporation must have these three officers. The appropriate title for the officer may be added but do not alter or obliterate the form.)

4. CHIEF EXECUTIVE OFFICER/ ADDRESS CITY AND STATE ZIP CODE

5. SECRETARY/ ADDRESS CITY AND STATE ZIP CODE

6. CHIEF FINANCIAL OFFICER/ ADDRESS CITY AND STATE ZIP CODE

7. CHECK THE APPROPRIATE PROVISION BELOW AND NAME THE AGENT FOR SERVICE OF PROCESS:

[ ] AN INDIVIDUAL RESIDING IN CALIFORNIA.

[ ] A CORPORATION WHICH HAS FILED A CERTIFICATE PURSUANT TO CALIFORNIA CORPORATIONS CODE SECTION 1505.

AGENT'S NAME: \_\_\_\_\_

8. ADDRESS OF THE AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY ZIP CODE

CA

COMMON INTEREST DEVELOPMENT ASSOCIATION (Civil Code Section 1350, et seq.)

9. ☐ THIS CORPORATION IS NOT AN ASSOCIATION FORMED TO MANAGE A COMMON INTEREST DEVELOPMENT (PROCEED TO ITEM 11)

10. ☐ THIS CORPORATION IS AN ASSOCIATION FORMED TO MANAGE A COMMON INTEREST DEVELOPMENT UNDER THE DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT. (PROCEED TO ITEM 10A AND 10B)

10A. BUSINESS OFFICE STREET ADDRESS OR PHYSICAL LOCATION OF DEVELOPMENT, INCLUDING NINE-DIGIT ZIP CODE

10B. NAME AND ADDRESS OF THE MANAGING AGENT

11. THIS STATEMENT IS TRUE, CORRECT AND COMPLETE.

TYPE OR PRINT NAME OF OFFICER OR AGENT

SIGNATURE

TITLE

DATE

## INSTRUCTIONS FOR COMPLETING THE STATEMENT BY DOMESTIC NONPROFIT CORPORATION

Appendix A  
Page 2 of 2

Type or legibly print in black or blue ink.

Statutory filing provisions are found in California Corporations Code Sections 6210, 8210 and 9660, unless otherwise indicated.

Every **domestic corporation** shall file a statement with the California Secretary of State, within 90 days after filing of its original Articles of Incorporation, and biennially thereafter during the applicable filing period. The applicable filing period for a corporation shall be the end of the calendar month during which its original Articles of Incorporation were filed and the immediately preceding five calendar months.

**FILING FEES:** If this statement is the initial 90-day statement or a biennial statement, a **\$20.00** filing fee must accompany this statement.

**Amendment:** If this statement is being filed to amend any information on a previously filed statement, and is not a biennial filing, **no fee** is required.

A corporation is required to file a statement even though it may not be actively engaged in business at the time this statement is due.

Failure to file this completed form by its due date will result in the assessment of a penalty. The penalty for domestic nonprofit corporations is \$50 (California Corporations Code Sections 6810 and 8810). See also California Revenue and Taxation Code Section 19141.

For further information, contact the Statement of Officers Unit at (916) 657-3537.

- **Make check(s) payable to the Secretary of State.** Send the executed document and filing fee to:  
California Secretary of State, Statement of Officers, P.O. Box 944230, Sacramento, CA 94244-2300
- The Secretary of State will endorse file one copy of the filed statement at no additional cost, provided that the copy is submitted to the Secretary of State along with the original to be filed.

### Fill in the items as follows:

- Item 1.** Do not alter the preprinted corporate name. If the corporation name has been changed and is not correct, please attach a statement indicating the correct name and the date the name change amendment was filed with the Secretary of State. If the space is blank, enter the **exact** corporate name and number.
- Item 2.** Enter the complete street address, city, state and zip code, of the principal executive office in California, if any. DO NOT enter a P.O. Box or abbreviate the name of the city.
- Item 3.** Enter the mailing address of the corporation.
- Items 4-6.** Enter the name and complete business or residence address of the corporation's chief executive officer (i.e. president), secretary and chief financial officer (i.e. treasurer). DO NOT abbreviate the name of the city. The corporation must have these three officers. An officer may hold more than one office **EXCEPT** in a nonprofit **public benefit or religious** corporation, neither the secretary nor the chief financial officer may serve concurrently as the president or chairman of the board (California Corporations Code Sections 5213 and 9213). Please note, unless otherwise provided in the Articles of Incorporation or Bylaws, the president, or if there is no president the chairman of the board, is the chief executive officer of the corporation. You may add a title appropriate for your corporation but, **do not alter or obliterate preprinted titles.**
- Item 7.** Enter the name of the agent for service of process in California. The person named as agent must be a resident of California or a corporation which has filed a certificate pursuant to California Corporations Code Section 1505. If an individual is designated as agent, proceed to Item 8. If a corporation is designated, proceed to Item 9 (do not complete Item 8). **Please Note:** A corporation cannot name itself as agent for service of process.
- Item 8.** If an individual is designated as the agent for service of process, enter a business or residential address in California. DO NOT enter "in care of" (c/o) or abbreviate the name of the city. DO NOT enter an address if a corporation is designated as the agent for service of process.

**Civil Code Section 1350, et seq., mandates that a corporation formed on behalf of common interest development associations furnish specific additional information when filing a statement pursuant to California Corporations Code Section 1502.**

- Item 9.** Check the box if the corporation was not formed to manage a common interest development under the Davis-Stirling Common Interest Development Act and proceed to Item 11.
- Item 10.** Check the box if the corporation was formed to manage a common interest development under the Davis-Stirling Common Interest Development Act.
- Item 10A.** Enter the business or corporate office of the association, if any. If the office is not on the site of the common interest development, state the nine-digit zip code, front street, and nearest cross street for the physical location of the common interest development.
- Item 10B.** Enter the name and address of the association's managing agent, if any. (Civil Code Section 1363.5)
- Item 11.** Type or print name and title of the officer or agent completing the form. Enter the date the form is completed.

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: Employer Identification Number:  
xx-xxxxxxx  
DLN:  
xxxxxxxxxx  
Contact Person:  
XXXX XXXXX  
Contact Telephone Number:  
(XXX) XXX-XXXX  
Accounting Period Ending:  
March 31  
Foundation Status Classification:  
170 (b) (1) (A) (vi)  
Advance Ruling Period Begins:  
January 22, 1997  
Advance Ruling Period Ends:  
March 31, 2001  
Addendum Applies:  
None

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509 (a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509 (a) (1) and 170 (b) (1) (A) (vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509 (a) (1) or 509 (a) (2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

Contributions to you are deductible by donors beginning January 22, 1997.

You are not required to file Form 990, Return of Organization Exempt From income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

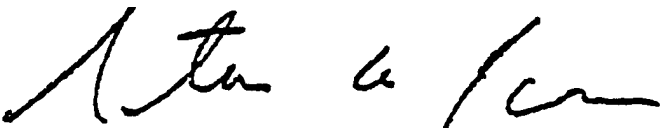
You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

  
District Director

## TOBACCO SUBSIDIARY PRODUCTS

### Philip Morris/Altria

This list is not a comprehensive resource and should not be relied upon to be complete or correct since changes in corporate and product ownership commonly occurs.

#### BEVERAGES

##### Coffee

General Foods International Coffees  
Gevalia  
Maxim  
Maxwell House  
Sanka  
Starbucks\*  
Yuban

##### Frozen Treats

Mr. Freeze  
Kool-Aid Slushies

##### Powdered Soft Drinks

Country Time  
Crystal Light  
Kool-Aid  
Tang

##### Ready-to-Drink

Capri Sun\*  
Country Time  
Crystal Light  
Kool-Aid Bursts  
Tang  
Total Balance

#### CONVENIENT MEALS

##### Bacon

Oscar Mayer  
Louis Rich

##### Cold Cuts

Oscar Mayer  
Louis Rich

##### Dinner Kits

Stove Top Oven Classics  
Taco Bell\*

##### Frozen Pizza

California Pizza Kitchen\*  
DiGiorno  
Jack's  
Tombstone

##### Hot Dogs

Oscar Mayer

##### Lunch Combinations

Lunchables

##### Macaroni & Cheese Dinner

Kraft  
Kraft Easy Mac  
Velveeta

##### Meat Alternatives

Boca

##### Meat Snacks

Tombstone

##### Pastas and Sauces

DiGiorno

#### CHEESE

##### Cold Pack Cheese

Woody's

##### Cottage Cheese

Breakstone's  
Knudsen  
Light n' Lively

##### Cream Cheese

Philadelphia  
Temp-tee

## TOBACCO SUBSIDIARY PRODUCTS

### Philip Morris/Altria

This list is not a comprehensive resource and should not be relied upon to be complete or correct since changes in corporate and product ownership commonly occurs.

#### Grated Cheese

Kraft

#### Natural Cheese

Athenos  
Churny  
Cracker Barrel  
DiGiorno  
Handi-Snacks  
Harvest Moon  
Hoffman's  
Kraft  
Polly-O

#### Process Cheese Loaves

Kraft Deluxe  
Old English  
Velveeta

#### Process Cheese Sauce

Cheez Whiz

#### Process Cheese Slices

Kraft Deli Deluxe  
Kraft Free Singles  
Kraft Singles  
Kraft 2% Milk Singles  
Velveeta

#### Process Cheese Spread

Easy Cheese

#### GROCERY

##### Baking Chocolate/Coconut

Baker's

##### Baking Powder

Calumet

##### Barbecue Sauce

Bull's-Eye  
Kraft

#### Breakfast Beverage

Postum

#### Coating Mix

Shake 'n Bake  
Oven Fry

#### Condiments

Grey Poupon  
Kraft  
Sauceworks

#### Cooked Cereal

Cream of Wheat

#### Cereal Bars

Nabisco

#### Dips

Kraft

#### Dog Biscuits

Milk-Bone

#### Dry Packaged Desserts

Dream Whip  
D-Zerta  
Jell-O  
Minute

#### Energy Bars

Balance  
Oasis Bars

#### Fruit Preservatives

Ever Fresh

#### Frozen Whipped Topping

Cool Whip

#### Ice Cream Topping

Kraft

## TOBACCO SUBSIDIARY PRODUCTS

### Philip Morris/Altria

This list is not a comprehensive resource and should not be relied upon to be complete or correct since changes in corporate and product ownership commonly occurs.

**Margarine**

Parkay (Puerto Rico only)

**Pasta Salads**

Kraft

**Pectins**

Certo  
Sure-Jell

**Pickles/Sauerkraut**

Claussen

**Pie Crusts**

Honey Maid  
Nilla  
Oreo

**Ready-to-Eat Cereals**

Post  
Alpha-Bits  
Banana Nut Crunch  
Blueberry Morning  
Cinna-Cluster Raisin Bran  
Cranberry Almond Crunch  
Frosted Shredded Wheat  
Fruit & Fiber  
Golden Crisp  
Grape-Nuts  
Great Grains  
Honey Bunches of Oats  
Honeycomb  
Nabisco (Puerto Rico only)  
Natural Bran Flakes  
Oreo O's  
Pebbles\*  
Raisin Bran  
Shredded Wheat  
Shredded Wheat 'n Bran  
Spoon Size Shredded Wheat  
Toasties  
Waffle Crisp  
100% Bran

**Rice**

Minute Rice

**Salad Dressings**

Good Seasons  
Kraft  
Seven Seas

**Sour Cream**

Breakstone's  
Knudsen

**Spoonable Dressing**

Kraft Mayo  
Miracle Whip

**Steak Sauce, Marinade, Worcestershire**

A. 1.

**Stuffing Mix**

Stove Top

**Toaster Pastries**

Kool Stuf

**Yogurt**

Breyers\*  
Jell-O  
Light n' Lively

**Snacks**

Cookies  
Barnum's Animals  
Biscos  
Café Creme  
Cameo  
Chips Ahoy!  
Crispin (Puerto Rico only)  
Dad's  
Danish (Puerto Rico only)  
Famous Chocolate Wafers  
Family Favorites  
Old Fashioned  
Ginger Snaps  
Hony Bran (Puerto Rico only)  
Konitos (Puerto Rico only)  
Lorna Doone  
Mallomars

## TOBACCO SUBSIDIARY PRODUCTS

### Philip Morris/Altria

This list is not a comprehensive resource and should not be relied upon to be complete or correct since changes in corporate and product ownership commonly occurs.

#### Snacks (cont.)

Marshmallow Twirls  
Nabisco (Puerto Rico only)  
National Arrowroot  
Newtons  
Nilla  
Nutter Butter  
Oreo  
Peak Freans  
Pecan Passion  
Pecanz  
Pinwheels  
SnackWell's  
Social Tea  
Stella D'oro  
Sweetie Pie (Puerto Rico only)  
Teddy Grahams  
Wild Thornberry's\*

#### Crackers

Air Crisps  
Better Cheddars  
Cheese Nips  
Club Social (Puerto Rico only)  
Crown Pilot  
Doo Dad  
Flavor Crisps  
Harvest Crisps  
Honey Maid  
Nabisco Grahams  
Nabs  
Premium  
Ritz  
Royal Lunch  
SnackWell's  
Stoned Wheat Thins  
Sportz (Puerto Rico only)  
Sultana (Puerto Rico only)  
Triscuit  
Uneeda  
Wheatworth  
Wheat Thins  
Zwieback

#### Ice Cream Cones

Comet Cups

#### Packaged Food Combinations

Handi-Snacks  
Lunchables

#### Refrigerated Ready-to-Eat Desserts

Jell-O  
Handi-Snacks

#### Snack Nuts

Corn Nuts  
PB Crisps  
Planters

#### Sugar Confectionery

Altoids  
Callard & Bowser  
Creme Savers  
Jet-Puffed  
Kraft Caramels  
Life Savers  
Milka L'il Scoops  
Nabisco Fun Fruits  
Terry's  
Tobler  
Toblerone  
Trolli

#### Miller Brands\*\*

Miller Beer  
Miller Genuine Draft  
Miller High Life  
Sharp's non-alcohol brew  
Milwaukee's Best  
Meister Brau  
Magnum Malt Liquor  
Henry Weinhard's  
Hamm's  
Olde English 800 Malt Liquor  
Mickey's Malt Liquor  
Red Dog  
ICEHOUSE  
Southpaw  
Leinenkugel  
Celis  
Pale Rider  
Shipyard Export Ale  
Goat Island Ale  
Fuggles Pale Ale  
Old Thumper Extra Special Ale  
Blue Fin Stout  
Longfellow Ale  
Mystic Seaport Pale Ale  
Chamberlain Pale Ale  
Sirius  
Prelude Ale

## TOBACCO SUBSIDIARY PRODUCTS

### Philip Morris/Altria

This list is not a comprehensive resource and should not be relied upon to be complete or correct since changes in corporate and product ownership commonly occurs.

#### Miller Brands\*\* (cont.)

Molson  
Foster's Lager  
Sheaf Stout  
Presidente  
Shanghai

#### Wines

Chateau Ste. Michelle  
Columbia Crest  
Domaine Ste. Michelle  
Villa Mt. Eden  
Conn Creek  
Northstar  
Snoqualmie

\* Kraft is the distributor for these brands:

- Breyers is a registered trademark owned and licensed by Unilever, N.V.
- Capri Sun is a registered trademark of Rudolf Wild GmbH & Co. KG, used under license.
- California Pizza Kitchen is a trademark owned and licensed by California Pizza Kitchen, Inc.
- Jenny Craig is a registered trademark of Jenny Craig, Inc., used under license.
- Pebbles is a registered trademark of Hanna-Barbera Productions, Inc. Licensed by Hanna-Barbera Productions, Inc.
- Starbucks is a registered trademark of Starbucks U.S. Brands Corporation.
- Nickelodeon and all related titles, characters and logos are trademarks owned and licensed by Viacom International Inc. All rights reserved.
- Taco Bell is a registered trademark owned and licensed by Taco Bell Corp.

\*\* Altria Group, Inc. holds a 36 percent economic interest in SABMiller plc as a result of the 2002 Miller Brewing Company merger into South African Breweries plc, which formed SABMiller plc, the world's second-largest brewer.

**COPYRIGHT AND OWNERSHIP OF MATERIALS**

The following is the required copyright and ownership of materials language in the CDHS/TCS grant:

- A. The State shall be the owner of all rights, title and interest in, not limited to the copyright to, any and all Works created, provided, or developed in part or in total under this grant, whether or not published or produced. For purposes of this paragraph, "Works" are all literary Works, writings and printed matter, including the medium by which it is recorded or reproduced, and photographs, art work, pictorial and graphic representations, motion pictures, other audiovisual products, digital recordings, tape recordings, educational materials, original computer software programs, data, and any other materials or products conceived, developed, or delivered as a result of this grant. The copyright to any and all Works created, provided, or developed under this grant, whether published or not published or produced, belongs to the State from the moment of creation.
- B. The State retains all rights to use, reproduce, distribute, or display any Works created, provided, or produced under this grant and any derivative works based on grant Works, as well as all other rights, privileges, and remedies granted or reserved to a copyright owner under statutory and common law copyright law.
- C. Grantee shall grant to the State, as permitted in California Civil Code, Section 982, ownership in any original work of authorship created, provided, or produced under this grant that is not fixed in any tangible medium of expression.
- D. If for any reason, the State is not deemed to be the owner of all rights, title and interest in the Works created, provided, developed, or produced under this grant, then Grantee, by entering into this grant, assigns all such rights to the State.
- E. For any product, data or material which is created, provided, developed, or produced under this grant which is not deemed a Work, the Grantee shall grant the State a royalty-free, non-exclusive, and irrevocable license throughout the world to reproduce, to produce derivative Works, to distribute copies, to perform, to display or otherwise use, duplicate, or dispose of such product, data or material in any manner for governmental purposes, and to have or permit others to do so.
- F. Subject to the terms, conditions, and limitations contained in this grant and subject to the performance of all terms and conditions stated in this grant, the State grants to the Grantee a non-exclusive license to use, duplicate, distribute, and permit others to use Works created, produced or developed under this grant for the purpose of carrying out the terms and conditions of this grant, consistent with any limitations set forth in this grant.

- G. For Works requiring the use of other copyright holders' materials, the Grantee shall furnish the names and addresses of all copyright holders or their agents, if any, and the terms of any licenses or usage granted, at the time of delivery of the Works. No materials of other copyright holders shall be used without prior written permission of the State and the holder of the copyright.
- H. At any time the Grantee enters into an agreement with another party in order to perform the Work required under this grant, the Grantee shall require the agreement to include language granting the State a copyright interest in any Works created, provided, developed, or produced under the agreement and ownership of any Works not fixed in any tangible medium of expression. In addition, the Grantee shall require the other party to assign those rights to the State in a format prescribed by the State. For any Works for which the copyright is not granted to the State, the State shall retain a royalty-free, non-exclusive and irrevocable license throughout the world to reproduce, to prepare derivative Works, to distribute copies, to perform, to display, or otherwise use, duplicate or dispose of such Works in any manner for government purposes, and to have or permit others to do so.
- I. The Grantee represents and warrants that:
  - 1. The Grantee is free to enter into and fully perform this agreement;
  - 2. The Grantee has secured or will secure all rights and licenses necessary for the creation, production, or development of the Works under this grant;
  - 3. Neither the Works created, produced, or developed under this grant, the materials contained therein, nor the exercise by either the Grantee or the State of the rights described or granted in this grant, shall infringe upon or violate the rights or interests of any person or entity;
  - 4. Neither the Works, nor any part of the Works, created, produced, or developed under this grant shall: a) violate the right of privacy of; b) constitute a libel or slander against; or c) infringe upon the copyright, literary, dramatic, statutory or common law rights, trademarks or service marks of any person, firm, or corporation; and
  - 5. The Grantee has not granted and shall not grant to any person or entity any right that would or might derogate, encumber, or interfere with any of the rights granted to the State in this grant.
- J. All Works distributed under the terms of this grant and any reproductions of visual Works or text of such Works shall include a notice of copyright in a place that can be visually perceived either directly or with the aid of a machine or device. This notice shall be placed prominently on Works and set apart from other matter on the page or medium where it appears.

- K. The Grantee shall indemnify, defend, and hold harmless the State and its licensees and assignees, and their officers, directors, employees, agents, representatives, successors, licensees, and assignees from and against all claims, actions, damages, losses, costs, and expenses, including reasonable attorneys' fees, which any of them may sustain because of the use, reproduction, distribution, display, or transfer of the Works and any other materials furnished by Grantee under this grant, or because of the breach of any of the representations or warranties made in this grant award.
- L. If the use of any Work is enjoined as a result of any action or proceeding, the Grantee shall, at its own expense and at the option of the State:
  - 1. Procure for the State the right to continue to use said element, if the cost of said element does not exceed the reasonable cost anticipated under paragraph 16.L.2) or 16.L.3) below;
  - 2. Replace said element with a comparable element which is non-infringing or does not violate the rights or interest of any person or entity; or
  - 3. Modify said element so it becomes non-infringing or does not violate the rights or interest of any person or entity.
- M. The State owns all materials developed, provided, and produced for the State under this grant. During the contracting phase of this process, the State shall negotiate with the Grantee to determine the number of camera-ready and completed versions of each deliverable the State will receive. It is anticipated that the State will use deliverables in future tobacco control programs.

Scope of Work  
InstructionsAgency Name:  
Grant Number:

<b>Project Name:</b>	<b>Revision Date:</b>				<b>Report Period:</b>		
<b>Objectives/Activities/Evaluation</b>	<b>Copyright</b>	<b>Percentage</b>	<b>Start/ End Date</b>	<b>Who Is Responsible</b>	<b>Tracking Measures</b>	<b>For Progress Report Use Only</b>	
						<b>Document Number/ Letter</b>	<b>Actual Date(s) Completed</b>
<b>Priority Area:</b> State one or two of the priority areas (e.g., Counter Pro-Tobacco Influences in the Community; Reduce Exposure to SHS; Reduce Availability of Tobacco Products; or Increase Availability of Cessation Services).  In outline format, state an objective and following each objective, describe the intervention to be implemented to achieve the objective. Immediately following the description of the intervention, describe the outcome evaluation plan. <u>Process evaluation activities are listed in column 6.</u>  <b>1. Outcome Specific Objective:</b> The objectives should be measurable and clearly identify the expected result or outcome. It should state how much change will occur, for what target group, when the objective will be met and what location. A good objective is measurable, quantifiable, and time limited. Objective should also identify the Indicator being addresses and the Primary status. <b>If this objective is a "Primary Objective" place a "(P)" at the end of the objective. Also, identify the CX indicator being addressed by placing its number at the end of the objective.</b>  <i>Example: By 4/30/05 the City of OZ will enact a policy to license tobacco retailers.</i>  A. Intervention Categories: Group activities under major intervention categories: Community Education; Coordination/Collaboration; Educational Materials Development; Incentive Items; Media; Mini-Grants; Policy; Promotional Items; School-based Education; Sponsorship; and Training/Technical Assistance, with activities listed chronologically within each category. B. Intervention Activities: Use an outline format to describe the activities to be conducted to achieve the objective. Describe the planning, collaboration, educational, policy, media, and training activities used to achieve the objective. List these in chronological order. The description should describe your target group, what will be done, and how much will be done. This should include the steps, methods and strategies to educate and mobilize the community. The intervention may include: meetings, presentations, trainings, letter writing campaigns, press conferences, materials development, etc.  <i>Example: Conduct two to four community forums on tobacco retailer licensing with participation from law enforcement, youth, parents, and other interested parties. Topics to be addressed will include the problem of illegal sales of tobacco products, solutions, and action steps.</i>  Outcome Evaluation Activities: Describe the evaluation design, methodology, data collection and analysis, and plan for disseminating evaluation findings.	Indicate if the activity involves development of a product such as a brochure, poster, ad, manual, etc. for which there should be a copyright by placing the sign "©".	For each program deliverable, indicate a percent between 0.5percent and 100 percent that reflects the value or percent of effort by staff and budget. Total percentages assigned may not be less than or greater than 100 percent.	<b>List the progress report periods during which each program and evaluation activity is expected to start and end.</b>  <b>The progress report periods are:</b> <b>07/03-12/03</b> <b>01/04-06/04</b> <b>07/04-12/04</b> <b>01/05-06/05.</b>	<b>Identify who is responsible for conducting or participating in the major activities. This may include staff, coalition members or community volunteers, evaluation consultant, etc.</b>  Please list the position title. If using acronyms, please indicate what the acronym stands for.	Describe the tracking measures which document that the process oriented activities were completed.  Examples of tracking measures include: sign-in sheets, press releases, survey instruments, evaluation reports, etc. Some tracking measures, such as meeting notes, individual registration forms completed, and others may be kept "on file in office." Place a plus sign (+) beside the tracking measure you would like to keep on file in your office. <u>These items must be on file in the event of an audit</u>		

**APPENDIX F**

<b>Name of Grantee: ABC Community Agency</b> <b>Grant Number: 04-xxxxx</b> <b>Term: 7/1/04-6/30/07</b>								
					<b>Revision Date:</b>			
	Pay Period	No. of Pay Periods Per Year	Salary Range	Percentage of time or Hours per pay period	<u>YEAR 1</u> 7/1/04- 6/30/05	<u>YEAR 2</u> 7/1/05- 6/30/06	<u>YEAR 3</u> 7/1/06- 6/30/07	Total Budget
<b>A. PERSONNEL COSTS</b>								
1. Project Director	S	24	\$4,220 to \$5,274	50	\$0	\$0	\$0	\$0
2. Project Coordinator	S	24	\$3,840 to \$4,000	100	\$0	\$0	\$0	\$0
3. Health Educator	S	24	\$3,110 to \$3,500	100	\$0	\$0	\$0	\$0
4. Project Assistant	S	24	\$3,130 to \$3,805	100	\$0	\$0	\$0	\$0
5. Secretary	H	24	\$2,525 to \$3,072	100	\$0	\$0	\$0	\$0
<b>TOTAL PERSONNEL COSTS:</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>B. FRINGE BENEFITS @ XX percent to XX percent of Total Personnel Costs</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL PERSONNEL EXPENSES:</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>C. OPERATING EXPENSES</b>					\$0	\$0	\$0	\$0
<b>D. EQUIPMENT EXPENSES</b> Not applicable to this RFA. ENTER ZERO.					\$0	\$0	\$0	\$0
<b>E. TRAVEL/PER DIEM and TRAINING</b>					\$0	\$0	\$0	\$0
<b>F. SUBCONTRACTS AND CONSULTANTS</b>					\$0	\$0	\$0	\$0
1. Mini-Grants Not applicable to this RFA. ENTER ZERO.					\$0	\$0	\$0	\$0
2. Evaluation Consultant					\$0	\$0	\$0	\$0
3. ABC Company					\$0	\$0	\$0	\$0
<b>TOTAL SUBCONTRACTS AND CONSULTANTS:</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>G. OTHER COSTS</b>					\$0	\$0	\$0	\$0
1. Educational Materials					\$0	\$0	\$0	\$0
2. Promotional Items					\$0	\$0	\$0	\$0
3. Incentives Not applicable to this RFA. ENTER ZERO.								
4. Media					\$0	\$0	\$0	\$0
5. Sponsorships					\$0	\$0	\$0	\$0
6. Use additional line items if necessary					\$0	\$0	\$0	\$0
<b>TOTAL OTHER COSTS:</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>H. INDIRECT EXPENSES @ XX percent to XX percent of Total Personnel Expenses</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL EXPENSES:</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

---

BUDGET JUSTIFICATION FORMAT SAMPLE

---

**ABC COMMUNITY SERVICES, INC.  
BUDGET JUSTIFICATION  
JULY 1, 2004 to JUNE 30, 2007**

		<u>AMOUNT REQUESTED</u>				<i>Total for</i>
		<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>	<u>Grant Term</u>	
<b>A. PERSONNEL SALARIES</b>						
1.	Project Director (\$4,220 to \$5,274 paid semi-monthly) x (50 percent) x (24 pay periods year).	\$50,640	\$60,000	\$63,288	\$173,928	
	Project Director for tobacco control program. Responsibilities include overall planning, supervision, development, training, report writing, fiscal, and general coordination of the project. Monitors the project budget, maintains liaison with CDHS/TCS Health Education Consultant/Health Program Advisor, and Contract Manager. Approves budget, invoices, staff changes, ensures timely progress on contract obligations, and other duties as required. Devotes five percent of his/her time to oversee the implementation of the evaluation and work with the evaluation consultant.					
2.	Project Coordinator (\$3,840 to \$4,000 paid semi-monthly) x (100 percent) x (24 pay periods per year).	\$92,160	\$93,600	\$96,000	\$281,760	
	Under supervision of the Project Director, responsible for coordinating the tobacco program's media activities, promotional events, trainings, newsletter, and other duties as required. Devotes five percent of his/her time to implement evaluation activities.					

<b>COMPARABLE STATE CIVIL SERVICE CLASSIFICATIONS</b>
-------------------------------------------------------

<b>State Classification Title</b>	<b>Comparable Title</b>	<b>Comparable Monthly Salary</b>
Health Education Consultant Supervisor III	Project Director	\$4,746 to \$5,768
Health Education Consultant II	Senior Health Educator or Assistant Project Director	\$4,194 to \$5,243
Health Education Consultant I	Health Educator or Health Education Assistant	\$3,110 to \$4,346
Administrative Assistant I	Program Coordinator/Assistant	\$3,418 to \$4,347
Office Services Supervisor II	Office Manager	\$2,759 to \$3,355
Management Services Technician	Community Health Worker	\$2,331 to \$3,201
Research Scientist II	Evaluation Consultant	\$4,960 to \$5,984
Research Scientist I	Evaluation Consultant	\$4,516 to \$5,448
Associate Governmental Program Analyst	Research Analyst II	\$4,111 to \$4,997
Staff Services Analyst	Research Analyst I	\$2,632 to \$4,155
Legal Counsel	Attorney	\$3,834 to \$4,847
Graduate Legal Assistant	Graduate Legal Assistant	\$3,493 to \$3,834
Senior Legal Analyst	Paralegal	\$4,316 to \$5,247
Legal Analyst	Paralegal	\$3,589 to \$4,363
Legal Assistant	Paralegal	\$3,164 to \$3,846

---

**Travel Reimbursement Information**  
**Effective October 1, 2001**

---

1. The following rate policy is to be applied for reimbursing the travel expenses of persons under contract.
  - a. Reimbursement shall be at the rates established for nonrepresented/excluded state employees.
  - b. Short-term Travel is defined as a 24-hour period, and less than 31 consecutive days, and is at least 50 miles from the main office, headquarters, or primary residence. Starting time is whenever a contract employee leaves his or her home or headquarters. "Headquarters" is defined as the place where the contracted personnel spends the largest portion of their working time and returns to upon the completion of special assignments.
  - c. Contractors on travel status for more than one 24-hour period and less than 31 consecutive days may claim a fractional part of a period of more than 24 hours. Consult the chart appearing on page 2 of this exhibit to determine the reimbursement allowance. All lodging must be receipted. If Contractor does not present receipts, lodging will not be reimbursed.

(1) Lodging (with receipts):

<b>Travel Location / Area</b>	<b>Reimbursement Rate</b>
Statewide Non-High Cost Area	\$ 84.00 plus tax
Counties of Los Angeles and San Diego	\$110.00 plus tax
Counties of Alameda, San Francisco, San Mateo, and Santa Clara	\$140.00 plus tax

Reimbursement for actual lodging expenses exceeding the above amounts may be allowed with the advance written approval of the Deputy Director of CDHS or his or her designee. Receipts are required.

- (2) Meal/Supplemental Expenses (with or without receipts): With receipts, the Contractor will be reimbursed actual amounts spent up to the maximum.

<b>Meal / Expense</b>	<b>Reimbursement Rate</b>
Breakfast	\$ 6.00
Lunch	\$ 10.00
Dinner	\$ 18.00
Incidental	\$ 6.00

- d. Out-of-state travel may only be reimbursed if such travel has been stipulated in the contract and has been approved in advance by the program with which the contract is held. For out-of-state travel, Contractors may be reimbursed actual lodging expenses, supported by a receipt, and may be reimbursed for meals and supplemental expenses for each 24-hour period computed at the rates listed in c. (2) above. For all out-of-state travel, Contractors must have prior Departmental approval and a budgeted trip authority.
- e. In computing allowances for continuous periods of travel of less than 24 hours, consult the chart appearing on page 2 of this bulletin.

- f. No meal or lodging expenses will be reimbursed for any period of travel that occurs within normal working hours, unless expenses are incurred at least 50 miles from headquarters.
2. If any of the reimbursement rates stated herein are changed by the Department of Personnel Administration, no formal contract amendment will be required to incorporate the new rates. However, CDHS shall inform the Contractor, in writing, of the revised travel reimbursement rates.
3. For transportation expenses, the Contractor must retain receipts for parking; taxi, airline, bus, or rail tickets; car rental; or any other travel receipts pertaining to each trip for attachment to an invoice as substantiation for reimbursement. Reimbursement may be requested for commercial carrier fares; private car mileage; parking fees; bridge tolls; taxi, bus, or streetcar fares; and auto rental fees when substantiated by a receipt.
4. **Note on use of autos:** If a Contractor uses his or her car for transportation, the rate of pay will be 34 cents maximum per mile. If the Contractor is a person with a disability who must operate a motor vehicle on official state business and who can operate only specially equipped or modified vehicles may claim up to 37 cents per mile. If a Contractor uses his or her car "in lieu of" air fair, the air coach fair will be the maximum paid by the State. The Contractor must provide a cost comparison upon request by the state. Gasoline and routine automobile repair expenses are not reimbursable.
5. The Contractor is required to furnish details surrounding each period of travel. Travel detail may include, but not be limited to: purpose of travel; departure and return times; destination points; miles driven; mode of transportation; etc.
6. Contractors are to consult with the program with which the contract is held to obtain specific invoicing procedures.

#### Travel Reimbursement Guide

Length of travel period	This condition exists...	Allowable Meal(s)
Less than 24 hours	Travel begins at 6 a.m. or earlier and continues until 9 a.m. or later.	Breakfast
Less than 24 hours	<ul style="list-style-type: none"> <li>Travel period ends at least one hour after the regularly scheduled workday ends, or</li> <li>Travel period begins prior to or at 5 p.m. and continues beyond 7 p.m.</li> </ul>	Dinner
24 hours	Travel period is a full 24-hour period determined by the time that the travel period begins and ends.	Breakfast, lunch, and dinner
Last fractional part of more than 24 hours	Travel period is more than 24 hours and traveler returns at or after 8 a.m.	Breakfast
	Travel period is more than 24 hours and traveler returns at or after 2 p.m.	Lunch
	Travel period is more than 24 hours and traveler returns at or after 7 p.m.	Dinner

---

## CONTRACT UNIFORMITY

---

Pursuant to the provisions of Article 7 (commencing with Section 100525) of Chapter 3 of Part 1 of Division 101 of the H & S Code, CDHS sets forth the following policies, procedures, and guidelines regarding fringe benefits.

1. As used in this agreement with reference to State and/or federal funds, fringe benefits shall mean an employment benefit given by one's employer to an employee in addition to one's regular or normal wages or salary.
2. As used herein, fringe benefits do not include:
  - a. Compensation for personal services paid currently or accrued by the Contractor for services of employees rendered during the term of this agreement, which is identified as regular or normal salaries and wages, annual leave, vacation, sick leave, holidays, jury duty, and/or military leave/training.
  - b. Director's and executive committee member's fees
  - c. Incentive awards and/or bonus incentive pay
  - d. Allowance for off-site pay
  - e. Location allowances
  - f. Hardship pay
  - g. Cost-of-living differentials
3. Specific allowable fringe benefits include:
  - a. Fringe benefits in the form of employer contributions for the employer's portion of payroll taxes (i.e., FICA, SUI, SDI), employee health plans (i.e., health, dental, and vision), unemployment insurance, workers compensation insurance and the employers portion of pension/retirement plans provided they are granted in accordance with established written organization policies and meet all legal and IRS requirements.
4. To be an allowable fringe benefit, the cost must meet the following criteria:
  - a. Be necessary and reasonable for the performance of the contract.
  - b. Be determined in accordance with generally accepted accounting principles.
  - c. Be consistent with policies that apply uniformly to all activities of the Contractor.
5. It is agreed by both parties that any and all fringe benefits shall be at actual cost.
6. Earned/accrued Compensation.
  - a. Compensation for vacation, sick leave, and holidays is limited to that amount earned/accrued within the contract term. Unused vacation, sick leave, and holidays earned from periods prior to the contract period cannot be claimed as allowable costs (See example on page 2).
  - b. For multiple year contracts, vacation and sick leave compensation, which is earned/accrued but not paid, due to employee(s) not taking time off may be carried over and claimed within the overall term of the multiple years of the contract. Holidays cannot be carried over from one contract year to the next. (See example on page 2).
  - c. For single year contracts, vacation, sick leave, and holiday compensation which is earned/accrued but not paid, due to employee(s) not taking time off within the contract term, cannot be claimed as an allowable cost (See example on page 2).

**Contract Uniformity**  
Earned/Accrued Compensation Examples

Example No. 1:

If an employee, John Doe, earns/accrues three weeks of vacation and twelve days of sick leave each year, then that is the maximum amount that may be claimed during a contract period of one year. If John Doe has five weeks of vacation and eighteen days of sick leave at the beginning of the State contract term, the Contractor during a one-year contract term may only claim up to three weeks of vacation and twelve days of sick leave actually used by the employee. Amounts earned/accrued in periods prior to the beginning of the contract are not an allowable cost.

Example No. 2:

If during a three-year (multiple year) contract John Doe does not use his three weeks of vacation in year one, or his three weeks in year two, but he does actually use nine weeks in year three; the Contractor would be allowed to claim all nine weeks paid for in year three. The total compensation over the three-year period cannot exceed 156 weeks (3 x 52 weeks).

Example No. 3:

If during a single year contract, John Doe, works fifty weeks and uses one week of vacation and one week of sick leave and all fifty-two of these weeks have been billed to the State, the remaining unused two weeks of vacation and seven days of sick leave may not be claimed as an allowable cost.